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## **1 – Another 'black eye' for America's energy capital, E&E News, 3/25/19**

<https://www.eenews.net/energywire/2019/03/25/stories/1060128131>

The fire-fueled plume that darkened a swath of the Texas sky last week was just the beginning of an unfolding disaster in this U.S. oil and petrochemical hub. The problems are centered east of Houston, where crews are trying to contain dangerous materials unleashed by tank fires at an Intercontinental Terminals Co. (ITC) facility.

## **2 - What happened at ITC facility in Deer Park over the weekend?, Houston Chronicle, 3/25/19**

<https://www.chron.com/news/houston-texas/houston/article/What-happened-at-ITC-facility-in-Deer-Park-over-13713732.php>

Environmental recovery operations continued over the weekend at the Intercontinental Terminals Co. facility, after a series of setbacks Friday appeared to slow the cleanup effort.

## **3 - Several toxins found in water near ITC; ship channel remains closed, KPRC, 3/24/19**

<https://www.click2houston.com/news/chemicals-from-itc-leaked-into-ship-channel-prompting-closure-and-us-coast-guard-response>

Nine toxins were detected from water samples near the ITC Deer Park ditch after multiple chemicals from the facility leaked into the Houston Ship Channel after a dike wall collapsed Friday, according to the Texas Commission on Environmental Quality.

## **4 - TCEQ brings in more resources after 'worsening and unstable conditions' at ITC, KHOU, 3/24/19**

<https://www.khou.com/article/news/local/itc-fire/tceq-brings-in-more-resources-after-worsening-and-unstable-conditions-at-itc/285-e4fa50a4-c1dd-4f77-91d9-b32344998fe0>

The Texas Commission on Environmental Quality has a contractor using booms and pumping water into storage containers to contain runoff from the ITC site.

## **5 - US Coast Guard triples length of booms deployed in ITC cleanup, KPRC, 3/24/19**

<https://www.click2houston.com/news/us-coast-guard-triples-length-of-booms-deployed-in-itc-cleanup>

The U.S. Coast Guard has tripled the length of booms it has deployed, hoping to contain more of the toxic product released during the Intercontinental Terminals Company fire in Deer Park and its clean-up process.

## **6 – Officials: Significant progress made in cleanup efforts at ITC facility in Deer Park, KHOU, 3/24/19**

<https://www.khou.com/article/news/local/itc-fire/officials-significant-progress-made-in-cleanup-efforts-at-itc-facility-in-deer-park/285-36d2b2fc-9660-4edd-bfc6-f3a730005a3c>

Officials at Intercontinental Terminals Company said significant progress was made overnight in the effort to remove chemicals from damaged tanks. By 2 a.m. Sunday, crews had removed about 13,000 of the estimated 20,000 barrels of Pyrolysis Gas from tank 80-7. Crews are continuing to work to remove the remaining liquid.

## **7 – UPDATE: Texas Sues Deer Park Petrochemical Company For Violations Of Clean Air Act, Houston Public Media, 3/22/19**

<https://www.houstonpublicmedia.org/articles/news/2019/03/22/326225/epa-says-situation-becoming-stable-in-deer-park-itc-warns-about-potential-benzene-emissions-during-cleanup/>

The State of Texas is suing Intercontinental Terminals Company (ITC) for violations of the Texas Clean Air Act related to the massive fire at the company's Deer Park petrochemical facility and its aftermath.

**8 - ITC Reports Breach Cause Unknown, New Fire is Out, Pumping Suspended, Houston Press, 3/23/19**

<https://www.houstonpress.com/news/itc-reports-fires-are-out-parts-of-ship-channel-remain-closed-11262234>

One week after their Deer Park plant caught on fire and released chemical vapors into the surrounding neighborhoods, ITC officials held another press conference Saturday morning to review their latest setbacks and outline what they'll do next.

**9 – Environmentalists take petrochemical giant Formosa to court over plastics pollution, Texas Tribune, 3/25/19**

<https://www.texastribune.org/2019/03/25/formosa-goes-to-federal-court-for-alleged-plastic-pollution/>

For years, Diane Wilson has tried to get Formosa Plastics Corporation to stop discharging plastic pellets from its sprawling petrochemical complex on the central Texas coast. This week, she's getting her day in court.

**10 – SWEPCO detects lithium in wells near coal ash storage sites at Pirkey Power Plant, Longview (TX) News-Journal, 3/24/19**

[https://www.news-journal.com/news/local/swepco-detects-lithium-in-wells-near-coal-ash-storage-sites/article\\_95c91824-475f-11e9-8a22-7393eee7e1c1.html](https://www.news-journal.com/news/local/swepco-detects-lithium-in-wells-near-coal-ash-storage-sites/article_95c91824-475f-11e9-8a22-7393eee7e1c1.html)

Residents on well water within a mile of the Pirkey Power Plant south of Hallsville have been notified of recent test results showing harmful chemicals found in two wells serving about a half-dozen families.

**11 – Advocate: EPA needs to communicate better as plume near Socorro grows, Albuquerque Journal, 3/24/19**

<https://www.abqjournal.com/1295693/advocate-epa-needs-to-communicate-better-as-plume-near-socorro-grows.html>

Almost a half-century after industrial waste was dumped in unlined lagoons at the Eagle Picher Carefree Battery Superfund site north of Socorro, the New Mexico Environment Department said it could take another 20 to 30 years to clean up.

**12 – Tribes urge U.S. to ban drilling around sacred N.M. site, E&E News, 3/25/19**

<https://www.eenews.net/energywire/2019/03/25/stories/1060128067>

Native American leaders are banding together to pressure U.S. officials to ban oil and gas exploration around a sacred tribal site that features massive stone structures and other remnants of an ancient civilization but are facing the Trump administration's pro-drilling stance.

**13 – Fed review could stymie race to export Texas oil, E&E News, 3/25/19**

<https://www.eenews.net/energywire/stories/1060128103>

The Army Corps of Engineers is planning a full-blown environmental review of a major oil export project in Texas — a development that could delay its construction at a time when producers and the Trump administration are pushing to send crude overseas.

**14 – First-of-its-kind U.S. waste dump marks 20 years, E&E News, 3/25/19**

<https://www.eenews.net/energywire/2019/03/25/stories/1060128123>

In a remote stretch of New Mexico desert, the U.S. government put in motion an experiment aimed at proving to the world that radioactive waste could be safely disposed of deep underground, rendering it less of a threat to the environment.

**15 – OPINION: The clean water fight puts spotlight on agency not up to the task, Arkansas Times, 3/25/19**

<https://www.arktimes.com/ArkansasBlog/archives/2019/03/25/the-clean-water-fight-puts-spotlight-on-agency-not-up-to-the-task>

The Farm Bureau has assembled a mighty rural lobbying force to transfer regulation of liquid animal waste (pig manure particularly) from the Department of Environmental Quality to the Arkansas Natural Resources Commission, which isn't always able to carry out its existing role in protecting natural resources.

**16 – Stormwater vote on horizon, Norman (OK) Transcript, 3/25/19**

[https://www.normantranscript.com/news/stormwater-vote-on-horizon/article\\_81f7e5b4-4df9-11e9-9873-eb31ebe7d6ac.html](https://www.normantranscript.com/news/stormwater-vote-on-horizon/article_81f7e5b4-4df9-11e9-9873-eb31ebe7d6ac.html)

On April 2, Norman voters will head to the polls to vote on stormwater for a second time in four years. The last stormwater proposal was soundly defeated, but city leaders hope that over a year of citizen committee meetings, open houses and study sessions will be enough to convince voters that the stormwater bond and stormwater utility measures are worth it.

**17 – NFIP changes likely to impact Louisiana residents, but officials are hopeful update is a positive, Baton Rouge Advocate, 3/25/19**

[https://www.theadvocate.com/baton\\_rouge/news/politics/article\\_de437924-4ce5-11e9-93f6-b3d413837e91.html](https://www.theadvocate.com/baton_rouge/news/politics/article_de437924-4ce5-11e9-93f6-b3d413837e91.html)

The Federal Emergency Management Agency has announced a major plan to overhaul how risk is assessed in the National Flood Insurance Program, which could mean major changes for Louisiana homeowners, but details remain murky and state officials say they're holding out hope for an ultimately positive outcome.

**18 – More bad news for coal: Wind and solar are getting cheaper, NBC, 3/25/19**

<https://www.nbc-2.com/story/40187587/most-of-americas-coal-plants-are-more-expensive-to-run-than-wind-and-solar>

The simple laws of economics threaten to doom America's remaining coal power plants. Wind and solar costs have plunged so rapidly that 74% of the US coal fleet could be phased out for renewable energy -- and still save customers money, according to a report released on Monday by Energy Innovation, a nonpartisan think tank.

**19 – 30 years later, re-live the incredible scenes from the Exxon Valdez oil spill, Houston Chronicle, 3/24/19**

<https://www.chron.com/business/houston-and-oil/article/30-years-later-Exxon-Valdez-oil-spill-13711580.php>

At the time, it was one of the worst man-made disasters in the history of the United States. And a Texas owned-and-based company was responsible for it.

# Another 'black eye' for America's energy capital

Edward Klump, E&E News reporter Energywire: Monday, March 25, 2019



The San Jacinto Monument near the Houston Ship Channel was surrounded by smoke from a petrochemical blaze that affected Deer Park, Texas. F. Carter Smith/Polaris/Newscom

**HOUSTON** — The fire-fueled plume that darkened a swath of the Texas sky last week was just the beginning of an unfolding disaster in this U.S. oil and petrochemical hub.

The problems are centered east of Houston, where crews are trying to contain dangerous materials unleashed by tank fires at an Intercontinental Terminals Co. (ITC) facility. They've dealt with spiking levels of benzene, which can cause cancer; fires that reignited; and the breach of a dike that led to the partial closure of the Houston Ship Channel.

On Friday, Texas Attorney General Ken Paxton (R) announced a suit against ITC on behalf of Texas regulators, saying the state will hold the company accountable for environmental damage. Lawmakers are demanding answers, and the U.S. Chemical Safety Board has disclosed plans for a probe.

"ITC has a history of environmental violations, and this latest incident is especially disturbing and frightening," Paxton said in a statement. "No company can be allowed to disrupt lives and put public health and safety at risk."

Residents and businesses remain on edge, but the event goes beyond any one suburb or neighborhood.

The incident strikes at the heart of Greater Houston's ability to offer a safe environment for the roughly 7 million people who live in and around this longtime energy capital. The region's cluster of industrial plants and storage sites is vulnerable to accidents, natural disasters and intentional attacks.

The ITC fire started March 17 and morphed into a made-for-TV event that, like flooding after Hurricane Harvey in 2017, put the region's issues before a national audience. The advocacy group Environment Texas, citing regulatory filings, said the ITC incident appeared to release more pollution than Houston-area facilities emitted in unauthorized releases in all of 2017.

"It definitely puts a black eye on our city," said Daniel Cohan, an associate professor of environmental engineering at Rice University in Houston.

Industrial problems aren't uncommon in the region, as an Exxon Mobil Corp. fire illustrated this month (*Energywire*, March 18).

The ITC disaster stands out because of its length and visibility, from multiple days with a plume and odor in various areas to localized pollution issues after fires initially were extinguished last Wednesday.

The company said tanks involved in the incident contained products such as naphtha and xylene, which are components in gasoline, and toluene, which is used to produce nail polish remover and paint thinner.

ITC reported progress yesterday in some cleanup efforts at the site. But pollution in and around the Houston Ship Channel hampered movement of industry products over the weekend.

Texas state Rep. Briscoe Cain (R) called events surrounding the ITC fire "devastating to our community." He requested a hearing.

"The nation has been captivated by dramatic images of flames and smoke plumes, but our community has had to deal with the very real questions about air and water quality while waiting for information from ITC," Cain said in a statement.

## 'Pretty egregious'

In an online post last week, Eric Berger of Space City Weather, a popular website for local forecasts, called the incident "pretty egregious."

Elected officials should be held accountable, Berger wrote, for people they appoint to agencies such as the Texas Commission on Environmental Quality (TCEQ), "which theoretically should be preventing accidents like these, monitoring them, and ensuring they don't happen again."

"The chemical industry provides many good paying jobs for the Houston region," he said, "but that doesn't mean we should accept accidents such as these as part of the bargain."

Houston has sought to project a modern image in recent years that includes a downtown makeover and an ability to host major events, from the Super Bowl to the annual CERWeek by IHS Markit energy conference. The region also continues to seek ways to reduce flooding worries, though it will take years to bolster resilience as much as leaders say is needed.

Clint Pasche, senior vice president of marketing and communications for the Greater Houston Partnership, described concern about residents' health and the region's image in a statement about the ITC fire. He said he was relieved that the "smoky plume" was no longer over parts of the city.

"Even if the recall of such an incident by people outside of Houston is relatively short-lived, and I suspect it will be, it does detract from our efforts to position Houston in a positive light — not only as the home of oil & gas, but also as a leader in renewable energy, digital tech, and life science, to name a few," Pasche said.

The ITC fire highlighted industrial exposure in Texas, which in 2017 included flooding and explosions at an Arkema chemical facility northeast of Houston in the wake of Harvey (*Energywire*, May 25, 2018).

With the ITC fire, much of everyday life in and around Houston has continued even as social media saw dramatic photos and questions about where pollution might end up.

Still, some school districts canceled classes for days, and the Houston Independent School District took steps to limit outdoor exposure for students. Experts said the region didn't see more initial air problems from last week's tank fires in part because the plume often was several thousand feet in the air. But that gave way to worries about localized pollution after water and foam helped to extinguish the fires.

Rep. Brian Babin (R-Texas), whose district includes the affected area, pledged via Facebook "to do all within my authority as a federal official to ensure a thorough investigation into the cause so we can obtain the information needed to prevent similar accidents in the future."

## Economy and health

Rice University's Cohan said it's important for TCEQ and EPA to be strict in monitoring events, "so that you keep these accidents to a minimum and so that the public has a reason to trust."

Luke Metzger, executive director of Environment Texas, said there are questions about TCEQ and its reliability. He noted gaps in monitoring data as the ITC event unfolded, and he expressed support for legislative efforts to make sure polluters are penalized when they break the law.

If TCEQ had a more robust regulatory enforcement regime, Metzger said, "we might have prevented this and similar accidents from happening." On Twitter, he noted the state's lawsuit over the recent incident and said Texas should seek a "massive penalty" as well as an overhaul of how companies such as ITC operate.

TCEQ has faced questions about a decision not to use potential NASA assistance in monitoring air quality after Harvey in 2017. The Texas commission recently defended its decision in a letter to lawmakers (*Greenwire*, March 20).

In a recent news release, TCEQ described work with an environmental contractor and the Coast Guard to contain runoff from the ITC site via booms and storage containers. TCEQ also noted periods with high levels of benzene.

Last week, the *Houston Chronicle* reported that various regulators had hit ITC with penalties over the years.

In a recent editorial, the Houston newspaper argued that Texas agencies should do more than deliver another "paltry fine" if investigations show ITC regulatory violations were a factor in the fire.

"We shouldn't have to choose between a thriving economy and our health," the editorial said. "Responsible companies can and should deliver both."

Ed Hirs, an energy economist with the University of Houston, questioned the coordination between industry and government once the fire started. He was surprised the fire lasted several days.

The event reinforced Hirs' view about the strategic vulnerability of the Houston Ship Channel and surrounding facilities. An attack on the area that's widespread could be devastating, he said.

If companies aren't willing to make expenditures to maintain an effective first response team, Hirs said, Harris County government will have to take it on. He said that could mean levying "some sort of tax on these entities."

For now, ITC has a website in place as a way for people to submit business and individual claims related to the event.

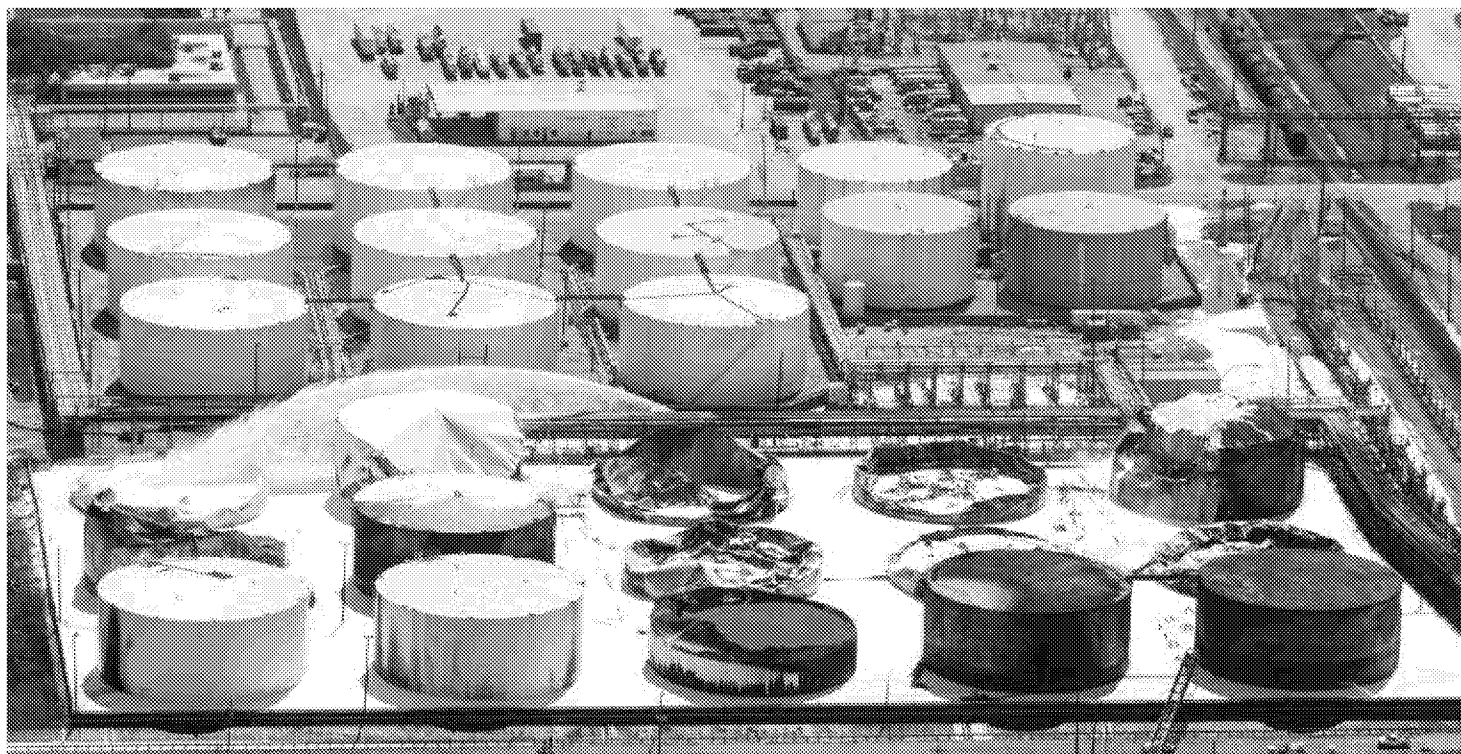
More details are expected to emerge about the incident and its aftermath. The Texas attorney general's court filing cites ITC in pointing toward a leak in a pipe.

Cohan said last week that authorities will need to get to the bottom of what allowed the fire to happen.

The risk of a serious incident looms in the Houston area, Cohan said, "even if 99.9 percent of the facilities and tanks are doing fine."

# What happened at ITC facility in Deer Park over the weekend?

By Julian Gill Published 6:34 am CDT, Monday, March 25, 2019



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## IMAGE 1 OF 23

Emergency crews continue to douse what's left of the now-extinguished petrochemical tank fire at Intercontinental Terminals Company on Wednesday, March 20, 2019, in Deer Park.

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Environmental recovery operations continued over the weekend at the Intercontinental Terminals Co. facility, after a series of setbacks Friday appeared to slow the cleanup effort.

ITC officials noted "significant progress" over the weekend, allowing the surroundings school districts to resume classes on Monday.

The fire started March 17 and burned for three days before it was extinguished last Wednesday. Elevated benzene readings around the plant Thursday forced shelter-in-place orders and school closures.

**ON HOUSTONCHRONICLE.COM: One week later: 'Significant progress' made in clean-up effort at Deer Park plant**

## Recommended Video

On Friday, a containment wall breached around the tank farm and sent foam and other volatile compounds into a drainage ditch that leads to the Houston Ship Channel. Parts of the fire were quickly extinguished.

The facility reported nine toxins in the drainage ditch and it has yet to complete the analyses of the chemicals. The Houston Chronicle reported that the spill occurred at the Alveston Bar, according to earlier reports in the

Houston Chronicle.

The U.S. Coast Guard is currently working to remove the chemicals that spilled into the ship channel. They removed an estimated 60,000 gallons of watery-oil product from the waterway, and most of the remaining product has been contained within booms in Tucker Bayou, according to earlier reports in the Chronicle.

The coast guard is still trying to partially re-open the ship channel, which has been closed since Friday. It's still unclear how much chemicals leaked from the site. Currently, 34 vessels, including 15 skimmers, are conducting cleanup efforts in the waterway.

ITC's latest press release, issued Sunday night, said the coast guard opened the San Jacinto River for a period of time to allow vessel traffic through the ship channel.

Meanwhile, at the plant that was burning most of last week, ITC crews are still working to pump the remaining chemicals from the tanks, which held flammable compounds including gasoline blends, xylene, naphtha and pyrolysis gasoline.

# Several toxins found in water near ITC; ship channel remains closed

By [Megan Kennedy](#)- Digital News Editor, [Brittany Taylor](#)- Digital News Editor

Posted: 11:57 AM, March 23, 2019

Updated: 10:22 AM, March 24, 2019

**DEER PARK, Texas** - Nine toxins were detected from water samples near the ITC Deer Park ditch after multiple chemicals from the facility leaked into the Houston Ship Channel after a dike wall collapsed Friday, according to the Texas Commission on Environmental Quality.

The ship channel was closed as a result.

Saturday marked six days since a fire broke out at the chemical storage facility, causing a large plume of black smoke to drift over the eastern parts of Harris County and out to the Austin and San Antonio areas. The cause of the fire remains under investigation, officials said.

The news of the chemical leak came the day after the fire reignited at the facility and in a nearby drainage ditch. The cause of reignition is under investigation.

## **READ: 10 a.m. Saturday - ITC Press Release Statement #19**

Capt. Kevin Oditt with the U.S. Coast Guard said they deployed a total of 8,500 feet of boom, hoping to trap as much of the chemical waste that entered the water as possible. Despite these efforts, however, some of the waste did make it to the ship channel's waters, and ports detected elevated levels of benzene in the water.

Brent Weber, ITC Deer Park incident commander, said the material that leaked out of the dike wall contained benzene, Pygas, water and foam.

Benzene is a colorless, flammable liquid with a sweet odor. It is also a known carcinogen that has been linked to leukemia and other blood cancers, according to the American Cancer Society.

## **RELATED: What you need to know about benzene**

Pyrolysis gasoline, known in the industry as "Pygas," is a byproduct of a chemical process involving naphtha.

## **RELATED: What's burning at the chemical plant in Deer Park?**

The foam was used to fight the chemical fire at ITC Deer Park. It was used to create a seal over the chemicals to block the fumes from escaping. During the battle against the blaze, the already deployed and contaminated foam was sitting on the floor of the chemical storage facility. That foam is what leaked out into the ditch, officials said.

TCEQ collected water samples from the ITC ditch and found that the nine toxic substances exceeded their health-protective concentration level.



"Nine constituents in the samples tested thus far exceeded their health-protective concentration level, including total xylenes, pyrene, anthracene, benzene, ethylbenzene, toluene, phenanthrene, fluoranthene, and 2-methylnaphthalene," according to TCEQ.

Oditt said the ship channel will remain closed until further notice.

Eight parks remained closed Saturday afternoon, Harris County Precinct 2 said.

They include:

- Bay Area Park
- Clear Lake Park
- Juan Seguin Park
- Meadowbrook Park
- Michael Moncrief Park
- Rio Villa Nature Trail
- River Terrace Park
- Sylvan Beach

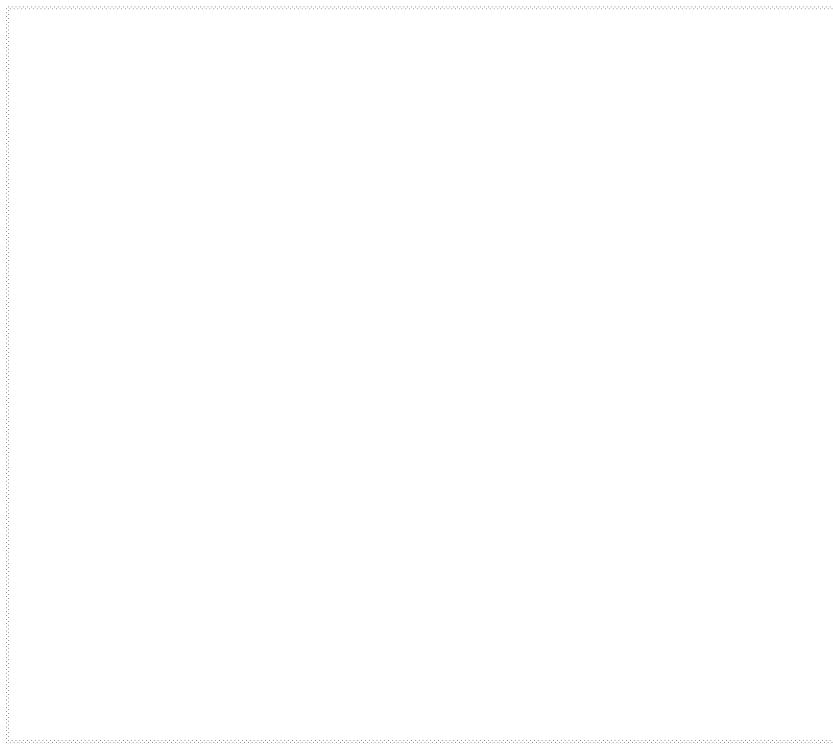
# TCEQ brings in more resources after 'worsening and unstable conditions' at ITC

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The Texas Commission on Environmental Quality has a contractor using booms and pumping water into storage containers to contain runoff from the ITC site.

HOUSTON — Nine substances exceeding the health-protective concentration level were found in water samples tested by the Texas Commission on Environmental Quality, the state agency said Saturday.

The TCEQ is mobilizing resources from Beaumont, Corpus Christi and Harlingen regional offices in response to "worsening and unstable conditions" at Intercontinental Terminals Co. in Deer Park.

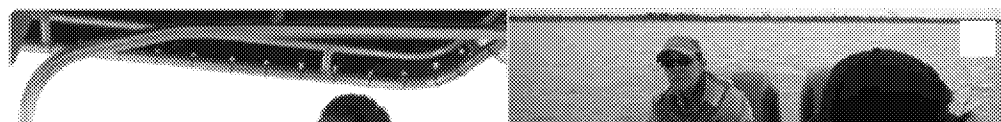


This is the result of the dike breach surrounding a chemical tank farm and subsequent fires at ITC.

The Texas Commission on Environmental Quality has a contractor using booms and pumping water into storage containers to contain runoff from the ITC site.

Water sampling was temporarily suspended after the dike breach Friday, but it picked back up once it was safe to do so, according to TCEQ.

The Coast Guard's Gulf Strike Team, which specializes in spill cleanups, is assisting.





**Texas Commission on Environmental Quality**  
@TCEQ



TCEQ staff in action on Galveston Bay taking water samples to assess impact of Intercontinental Terminals Co.

[fires.go.usa.gov/xEFy6](https://fires.go.usa.gov/xEFy6) #ITCfire

19 5:18 PM - Mar 23, 2019

See Texas Commission on Environmental Quality's other Tweets

TCEQ released the following statement Saturday:

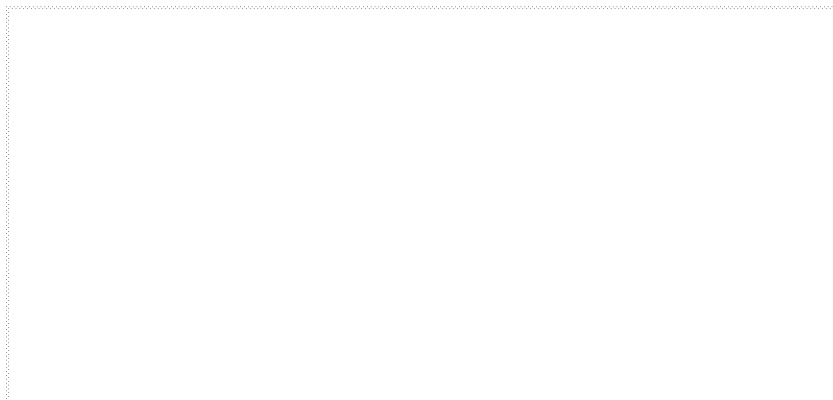
*"TCEQ has been analyzing **water quality data**  from the ditch leading from the facility and collected by the TCEQ and **ITC's contractor** . The agency is evaluating for 117 constituents as part of a thorough lab analysis. Nine constituents in the samples tested thus far exceeded their health-protective concentration level, including total xylenes, pyrene, anthracene, benzene, ethylbenzene, toluene, phenanthrene, fluoranthene, and 2-methylnaphthalene. As other results of the analyses are complete, they will be made available via [\*\*TCEQ's ITC response page\*\*](#). Surface water sampling continues in Tucker Bayou, the Houston Ship Channel, and where the channel enters Galveston Bay.*


*"No threat to local public drinking water systems has been detected, and no drinking water system draws its source water from the Houston Ship Channel."*

One of TCEQ's temporary air monitoring stations registered high levels of benzene at about 4 p.m. Friday, during the reignited fire.

This was directly across from the Houston Ship Channel at 207 parts per billion, according to TCEQ.

It led to an onsite shelter-in-place at ITC. The new fire was extinguished at about 5 p.m.




**EPA's TAGA bus**  had readings of 1,000 ppb of benzene on Peninsula Street, near Buffalo Bayou.



TCEQ says short-term exposure to one-hour benzene concentrations above 180 ppb can be a cause for health concern.

Benzene levels across all stationary monitors in the Houston area remained low overnight, TCEQ officials say.

*"There was one elevated reading of 26.8 ppb at the Channelview stationary monitor at 6 p.m. with concentrations dropping back down to the low parts per billion range for subsequent hourly measurements," the TCEQ statement says.*

*"At 5 a.m., the Channelview monitor recorded a 70.5 ppb benzene reading; subsequently, hourly readings returned to low levels. Temporary monitoring stations relocated today to the Jacinto Port Boulevard area to be directly downwind of ITC. TCEQ teams are combing the area around ITC with **hand-held air monitors**  "*

Check **TCEQ's ITC Fire Incident webpage** for updates on the response to the fire and dike breach.

The TCEQ says residents should go to webpages by **Deer Park** , **Harris County** , or their city to check for latest health warnings and heed them.

# US Coast Guard triples length of booms deployed in ITC cleanup

By [Megan Kennedy](#)- Digital News Editor

Posted: 12:20 PM, March 24, 2019

Updated: 6:23 PM, March 24, 2019

**DEER PARK, Texas** - The U.S. Coast Guard has tripled the length of booms it has deployed, hoping to contain more of the toxic product released during the Intercontinental Terminal Company fire in Deer Park and its clean-up process.

The boom now totals 27,000 feet, Jared Toczko, with the US Coast Guard said Sunday. Just the day before, the total was 8,500 feet. So far, crews have collected roughly 60,000 gallons of "oily product" from the waterways, he said.

## **READ: 10 am Sunday - ITC Press Release Statement #21**

The area of contamination stretches 2 nautical miles, from Patrick's Bayou to Lynchberg Ferry, and pockets of oil are collecting in areas within that stretch, Toczko said. The number of skimmers has also been doubled, hoping to collect more surface contamination.

Investigators said that nine toxins were detected from water samples near the ITC Deer Park ditch after multiple chemicals from the facility leaked into the Houston Ship Channel after a dike wall collapsed Friday.

## **RELATED: Several toxins found in water near ITC; ship channel remains closed**

Brent Weber, ITC Deer Park incident commander, said the material that leaked through the breached dike wall contained benzene, Pygas, water and foam.

The Houston Ship Channel remains partially closed because of the elevated levels of benzene.

## **RELATED: What you need to know about benzene**

Benzene is a colorless, flammable liquid with a sweet odor. It is also a known carcinogen that has been linked to leukemia and other blood cancers, according to the American Cancer Society.

Pyrolysis gasoline, known in the industry as "Pygas," is a byproduct of a chemical process involving naphtha.

## **RELATED: What's burning at the chemical plant in Deer Park?**

The foam was used to fight the chemical fire at ITC Deer Park. It was used to create a seal over the chemicals to block the fumes from escaping. During the battle against the blaze, the already deployed and contaminated foam was sitting on the floor of the chemical storage facility. That foam is what leaked out into the ditch, officials said.

The Texas Commission on Environmental Quality collected water samples from the ITC ditch and found that the nine toxic substances exceeded its health-protective concentration level.

"Nine constituents in the samples tested thus far exceeded their health-protective concentration level, including total xylenes, pyrene, anthracene, benzene, ethylbenzene, toluene, phenanthrene, fluoranthene, and 2-methylnaphthalene," according to the TCEQ.

Toczko said there is no clear timeline to reopen the ship channel, but said crews are continuing to monitor the levels of toxic product in the air and in the water.

As of Sunday morning, there is no word if Deer Park Independent School District will open for school on Monday. According to the school's website,

"When it's time for children to safely return to school, buildings will be ready for them. Our maintenance team members are working this weekend to address the following needs:

- Team members are replacing school air filters. They have already been replaced at San Jacinto Elementary, Deer Park High School-North Campus, and Deer Park Junior High. Crews are currently working at the Deepwater-area schools.
- Maintenance team members are also washing down playground equipment to make it clean and safe for students when they return.
- Maintenance employees are also walking school grounds to identify additional needs.
- Air systems will be activated prior to students returning so that stagnant air can cycle through the air handlers, eliminating odors and refreshing the air inside the buildings."

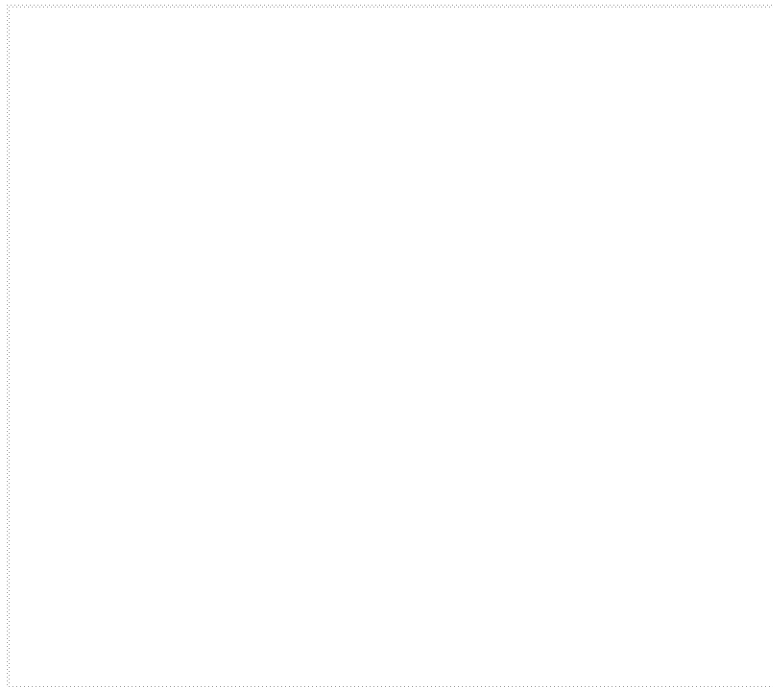
# Officials: Significant progress made in cleanup efforts at ITC facility in Deer Park

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Crews continue to work around the clock to remove product in damaged tanks and water.

DEER PARK, Texas — Officials at Intercontinental Terminals Company said significant progress was made overnight in the effort to remove chemicals from damaged tanks.

By 2 a.m. Sunday, crews had removed about 13,000 of the estimated 20,000 barrels of Pyrolysis Gas from tank 80-7. Crews are continuing to work to remove the remaining liquid.



“The tank includes both a fixed roof and a floating roof inside the tank, and we were able to remove all of the product above the floating roof,” ITC Incident Commander Brent Weber said during a press conference Sunday morning. “Over the next 24 hours, our focus will be to methodically remove all of the product within the tank farm, get the tank farm clean and reduce the impact to the community.”

ITC also confirmed that vacuuming operations continue at the ditch next to the tank farm where chemicals were released Friday due to a breach in a secondary containment wall.

As of 6:30 a.m., approximately 650 barrels of product were removed from the ditch. Approximately 2080 barrels of product have been removed from Tucker Bayou.

Operations will continue until all the product is removed.

Lt. Commander Jared Toczko with the U.S. Coast Guard spoke at the media briefing and said the impact from the materials released into the water spanned an area of approximately two miles, but the bulk of the product has been successfully contained with the Tucker Bayou area.

“Yesterday we were utilizing 8,500 feet of boom to contain the product – we have now tripled that 27,000 feet,” Toczko said. “Where we needed to double and triple boom, we have done that.”

Toczko said they are looking at options for potentially reopening portions of the Houston Ship Channel that would not negatively impact cleanup efforts.

EPA representative Adam Adams said progress has been “extremely good” on the water side, and efforts have ramped up quickly over the last 12 hours.

Mayor Mouton said his priority continues to be the residents of Deer Park and he is extremely happy with the progress that has been made in the last 24 hours.

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## **Check out this quick video**

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Ad By Sponsor

A new checkpoint has been established along Independence Parkway, keeping the public and reporters further from the sure then ever before.

There are no more shelter-in-place advisories as of Sunday.

Officials sound very hopeful, but when this will end is a question nobody can answer.





Whether delivered in English or through the Spanish interpreter, Saturday was another day of not-all-good news about the ITC plant in Deer Park

Photo by Kate McLean

## ITC Reports Breach Cause Unknown, New Fire is Out, Pumping Suspended

KATE MCLEAN | MARCH 23, 2019 | 12:39PM

One week after their Deer Park plant caught on fire and released chemical vapors into the surrounding neighborhoods, ITC officials held another press conference Saturday morning to review their latest setbacks and outline what they'll do next.

At 3:45 p.m. Friday, tanks 80-2, 80-3 and 80-5 containing a gas blend and xylene re-ignited. Flames were put out about an hour later, ITC reported. This followed an earlier day containment wall breach and collapse that sent unknown chemicals out into the Houston Ship Channel, causing a partial shutdown which continued Saturday and now appears to be indefinite.

Saturday, ITC spokeswoman Alice Richardson said that the collapsed wall had been successfully secured. U.S. Coast Guard Captain Kevin Oditt, working with the National Oceanic and Atmospheric Administration, said they will work on identifying spill trajectories and have deployed 8,500 feet of boom to capture pockets of oil in sensitive areas including and around Tucker Bayou, Battleship Texas, and Santa Anna Bayou.

“I don’t exactly have a time table. I will reopen the ship channel once we are able to determine that hazardous levels no longer exist and are able to recover any physical product on the waterway,” Oditt said.

ITC plans to first strengthen the breached wall, and then resume pumping chemicals – which had been suspended – into empty tanks nearby. They still, are unsure how many thousands of barrels remain underneath the protective foam. Webber confirmed that at maximum efficiency they could pump 20,000 barrels within 12 hours.

Asked whether ITC could bring in more resources, ITC incident commander, Brent Webber said, “We have multiple pumps but because of the dynamics of the situation it’s a little bit harder to get into some areas of the tank farm, compared to 80-7. We are working multiple plans simultaneously.”

With the re-ignition still on ongoing threat, Richardson said, “We have positioned additional fire-fighting foam pumps around the containment area. These foam pumps will allow us to apply a higher volume of foam, quickly should the foam barrier break.”

Adam Adams, Environmental Protection Agency, said they are continuing to with Anthony Buck of the Texas Commission on Environmental Quality to collect water samples, and conduct air tests with aerial support as well as on-ground Trace Atmospheric Gas Analyzer. TCEQ has mobilized full support from headquarters in Austin as well as surrounding offices.

“Yesterday the focus was stabilizing the site. Had we come across any hazardous conditions we would have notified command. As soon as we find hazardous conditions we get that information out to the community,” Adams said. The EPA and TCEQ will then present their findings to local authorities who make the final call in terms of whether a shelter in place should be called.

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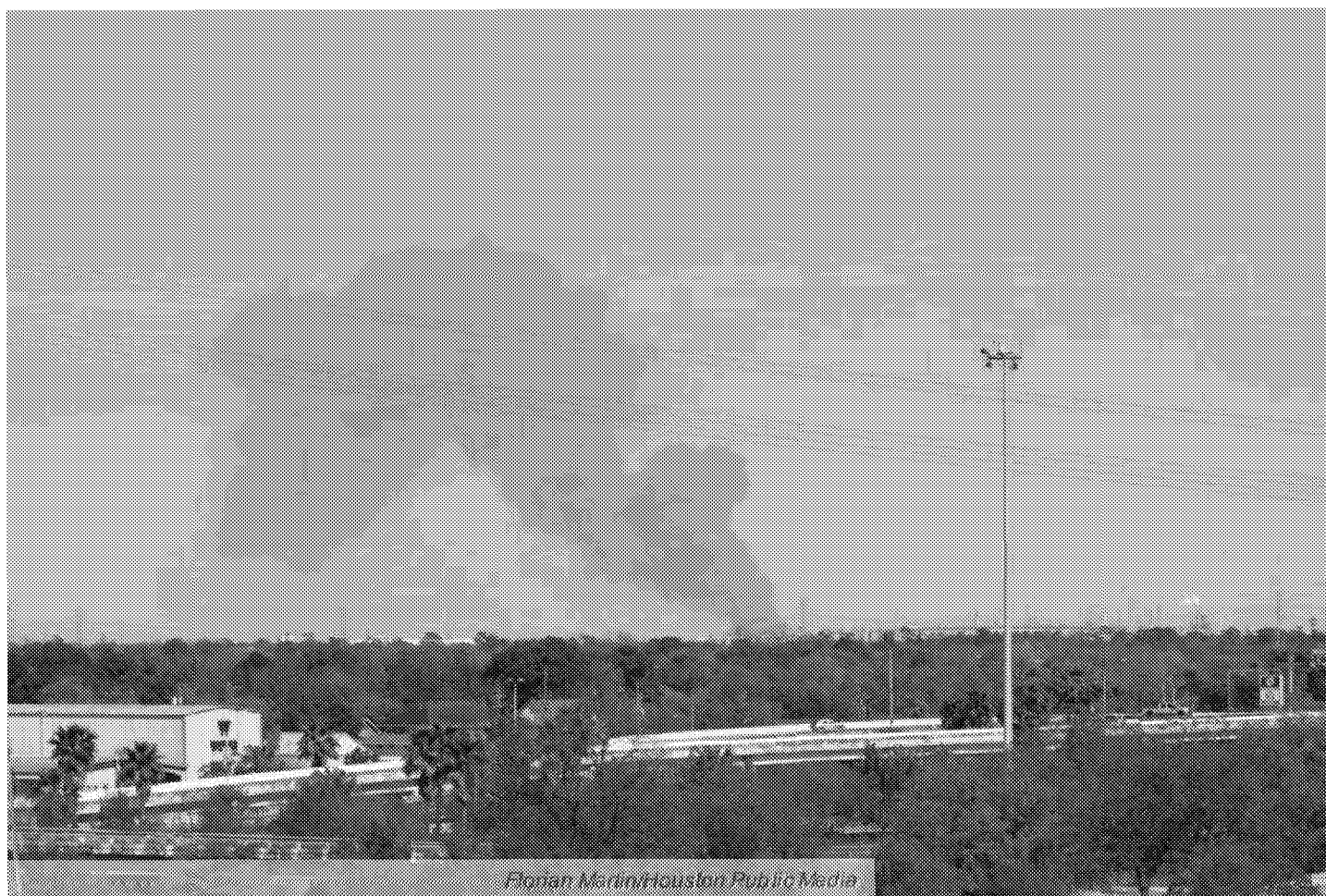
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# UPDATE: Texas Sues Deer Park Petrochemical Company For Violations Of Clean Air Act

The state is requesting a permanent injunction and civil penalties. Four La Porte residents have also sued Intercontinental Terminals Company.

ALVARO 'AL' ORTIZ / FLORIAN MARTIN | MARCH 22, 2019, 12:46 PM (LAST UPDATED: MARCH 22, 2019, 6:00 PM)



The fire at the ITC Deer Park petrochemical storage facility reignited on Friday March 22, 2019, around 3:40 p.m. and then was extinguished.

**Updated on Friday March 22, 2019, at 5:55 p.m.**

The State of Texas is suing Intercontinental Terminals Company (ITC) for violations of the Texas Clean Air Act related to the massive fire at the company's Deer Park petrochemical facility and its aftermath.

Texas Attorney General Ken Paxton filed a petition for injunctive relief on Friday in a Travis County district court. Texas has requested that the court grants a permanent injunction and civil penalties.

Toby Baker, executive director of the Texas Commission on Environmental Quality (TCEQ), said in a news release that only air quality violations have been cited in the lawsuit due to the ongoing investigation. Baker added that “any additional violations, including surface water quality” will be referred to the Attorney General.

Additionally, four La Porte residents have sued ITC. They are seeking punitive damages of more than \$2 million.

The fire reignited around 3:40 p.m. on tanks located in the west side of the facility but it was extinguished, according to Harris County Deputy Emergency Management Coordinator Francisco Sanchez. The Beltway 8 Ship Channel Bridge was temporarily shut down.

The Harris County Fire Marshal’s Office is leading the investigation into the origin and cause of the fire. They have contacted the Houston area representative for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to assist in evaluating the scene as soon as it’s safe to enter.

The Houston Independent School District canceled all on-campus weekend activities for schools located in the eastern part of the district. Sporting events at those campuses are being rescheduled at alternate locations.

#### **Updated at 2:00 p.m.**

Earlier on Friday, one of the containment walls of the tank farm, which sustained a three-day massive fire, partially collapsed around 12:15 p.m. on Friday. The wall is located on the north side near Tank 80-7.

ITC said in a statement it advised its industrial neighbors and the Battleship Texas and Monument State Park to consider taking shelter in place precautions.

Deer Park Mayor Jerry Mouton told News 88.7 the city hasn’t recorded any readings of toxic materials in the air after the collapse.

Galena Park Mayor Esmeralda Moya also reported via Twitter their air monitoring wasn’t showing volatile organic compounds or benzene as of 2 p.m.

ITC said it’s working with federal, state and local officials to resolve the situation caused by the collapse of the containment wall.

The company also reported the U.S. Coast Guard has closed a portion of the Houston Ship Channel between Dow (Tucker Bayou) and the San Jacinto Monument to Crystal Bay in response to the breach of the containment wall.

The Sierra Club reacted to the collapse of the containment wall. Organizer Bryan Parras said in a statement they’re worried that the chemicals in the firefighting foam that has been used could contaminate waterways and drinking water systems in Deer Park and the Houston region.

The chemicals in question are Per- and polyfluoroalkyl substances (PFAS). They are a group of man-made chemicals that includes PFOA, PFOS, GenX, and many other chemicals. They can be found in firefighting foam, as reported by NPR.

Sierra Club, along with other local groups such as Air Alliance Houston and Houston Climate Movement, have organized three town hall meetings to analyze the incident and its repercussions to local communities. The first one is scheduled for Friday at 6:30 p.m. in Pasadena. The other two will be held at Rice University on Saturday, starting at 2 p.m., and at Talento Bilingüe de Houston on Sunday, starting at 2 p.m.

**Updated at 12:00 p.m.**

Earlier on Friday, the Environmental Protection Agency (EPA) said the situation in Deer Park and its vicinity was becoming stable after a three-day massive fire at the petrochemical facility. No benzene emissions have been recorded since 12 a.m., but the company that owns the facility warned there could be emissions throughout the day due to the cleanup of the tanks.

EPA representative Adam Adams said at a 10 a.m. news conference that the three benzene readings the agency recorded happened on Thursday. "Outside of that, there's been no detections at all for benzene or volatile organic compounds above 1 part per million," he said.

Adams also talked about the air quality monitoring from ITC. "I've seen their data since midnight last night," he said, "they've had no benzene detections at all, so we're moving in the right direction and we're continuing to see a stable situation. It's becoming more stable as we go."



**Florian Martin**  
@Florian\_News887

EPA on-site coordinator: no benzene detected in Deer Park  
#DeerParkfire @HoustonPubMedia

2 10:05 AM - Mar 22, 2019

[See Florian Martin's other Tweets](#)

The EPA is using its Trace Atmospheric Gas Analyzer (TAGA) bus to monitor the air quality. About 250 locations have been monitored. The agency's Airborne Spectral Photometric Environmental Collection Technology (ASPECT) plane is also providing air monitoring flights over the area.

The EPA is also sampling the water and Adams said he hopes to get a first set of results by the end of Friday.

ITC Executive Brent Weber is the company's incident commander. He said at the news conference there are approximately 20,000 barrels of product that have to be cleaned up and estimated the process could take 8-12 hours "depending on the actual pump rate that we get."

Weber acknowledged there is a possibility of vapors being released during the pumping, because a layer of foam on top of the chemicals could be moved around. The foam helps to suppress the vapors, including the benzene, and Weber said there is an elevated risk of benzene emissions during the cleanup process.



**Florian Martin**  
@Florian\_News887

#DeerParkfire incident commander: benzene readings can be expected in and adjacent site during continued clean-up; DP mayor: more shelters-in-place likely @HoustonPubMedia

2 10:22 AM - Mar 22, 2019

[See Florian Martin's other Tweets](#)

Mayor Mouton said it is possible the city will issue another shelter in place order but added "there's been no scenario that's occurred at any point in time where we've considered evacuating anybody."

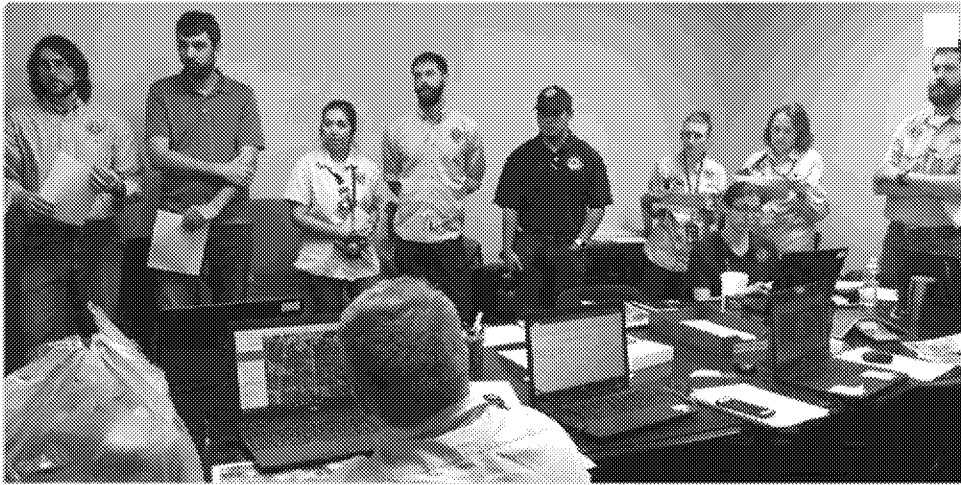
The following school districts canceled classes on Friday out of precaution:

- Channelview
- Deer Park
- Galena Park
- Goose Creek
- La Porte
- Pasadena
- Sheldon



Several KIPP campuses, as well as San Jacinto College and Lee College, also canceled classes.

The Texas Commission on Environmental Quality is also monitoring air quality, in addition to Harris County. The agency has a [website](#) with updated information.



**Texas Commission on Environmental Quality**  
**@TCEQ**

TCEQ staff are briefed in the Houston Region Air Work Room before heading out on a monitoring mission. The Air Work Room is where air monitoring activities are planned and monitored 24 hours a day.

6 10:17 AM - Mar 22, 2019

[See Texas Commission on Environmental Quality's other Tweets](#)

ITC also has created a [section](#) on its website with updated information.

The U.S. Chemical Safety Board will investigate the fire. The agency said in a [statement](#) that investigators will start interviews next week and plan to be on site for several days to document the scene and collect evidence.



# Environmentalists take petrochemical giant Formosa to court over plastics pollution

For years, Diane Wilson has tried to get Formosa Plastics Corporation to stop discharging plastic pellets from its sprawling petrochemical complex on the central Texas coast. This week, she's getting her day in court.

BY CARLOS ANCHONDO    MARCH 25, 2019    8 HOURS AGO



Diane Wilson takes a break from organizing bins containing thousands of plastic pellets that she and other activists have collected from Lavaca Bay and Cox Creek over the past three years. Emree Weaver / The Texas Tribune

**SEADRIFT** — On a warm, breezy afternoon last week, Diane Wilson stood at the front of a deep, metal storage shed, covered in a sheen of sweat. It was still full

of stuff — blue tarps, file cabinets, luggage and plastic boxes filled with paperwork. But it had been far more crowded just days earlier.

Wilson had spent the week shuttling cardboard boxes and plastic bins into a borrowed livestock trailer. The containers were packed with baggies chock-full of thousands of milky plastic pellets and water bottles filled with chalky white powder. For years, Wilson — a retired shrimper whose family has lived on this part of the Texas Gulf Coast for more than a century — painstakingly collected the waste from a nearby bay and creek from her kayak and on foot.

On Monday, she'll haul it into a federal courtroom in Victoria where her pro-bono lawyers will present it as evidence of illegal dumping by Formosa Plastics Corporation — a Taiwanese petrochemical manufacturer that operates a sprawling, 2,600-acre plant in Point Comfort. After years of waging a grassroots war against the company — the community's largest employer — Wilson is finally getting her day in court.



A baggie containing some of the plastic pellets that Diane Wilson and members of the San Antonio Bay Estuarine Waterkeeper have collected since 2016. They have amassed more than 2,000. Emree Weaver / The Texas Tribune

“There are pellets and powder in the bay, in the harbor and it’s also on the shores. It’s at Magnolia Beach, Indianola Beach, Lighthouse Harbor, where people go to swim. You can find it anywhere you go, and it blows your mind,” Wilson said. “There needs to be light shown on the truth. Finally, people around here will know exactly what is going on.”

Wilson said she first learned about the plastic pellets in 2009 when a former Formosa employee asked her to meet in Rockport, 50 miles away, to determine if Wilson was trustworthy. The following year, she unsuccessfully asked state regulators to revise Formosa’s permit to include stricter language that would prevent unlawful discharges.

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Eventually, she lodged formal complaints against the company with the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service.

In 2009, the EPA fined Formosa \$13 million in 2009 for air, water and hazardous waste violations. But Wilson said the company has continued to discharge pellets into the bays and still isn’t reporting it to the state, as required by law.

So in July 2017, Wilson sued Formosa in federal court under a law that allows citizens to sue industrial polluters when government regulators fail to act. She and her co-plaintiffs, the San Antonio Bay Estuarine Waterkeepers, are seeking penalties of up to \$184 million — \$104,828 per day for every day Formosa was allegedly out of compliance with state and federal environmental permits and laws that require companies to report such violations.

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It’s the maximum penalty allowed under federal law, lawyers for the plaintiffs noted in the lawsuit. But Wilson said that amount only accounts for the past three years – not the entire 26 years she alleges Formosa has been discharging illegal amounts.



Formosa Plastics Corporation's plant in Point Comfort, Texas on March 20, 2019. Emree Weaver / The Texas Tribune

Formosa's state permit prohibits the discharge of floating solids and "floating solids or visible foam in other than trace amounts." Wilson's suit argues the amount of discharge is clearly more than trace amounts.

In its initial response to Wilson's complaint, Formosa denied violating its permits or the Clean Water Act.

"Formosa denies that it has illegally discharged or is illegally discharging or that it has harmed or is harming Cox Creek, Lavaca Bay, Matagorda Bay, the surrounding wetlands, beaches, or their wildlife," the filing said.

Formosa declined to comment for this article.

But since Wilson and the Waterkeepers filed suit, Formosa has taken a variety of steps to tamp down on waste, including hiring private contractors to clean up the pellets and constructing buildings to store them.

In January, Formosa said it had formed an industry group called the "Alliance to End Plastic Waste," with the intended goal of "eliminating plastic waste in the

environment.” Other alliance members include oil, gas and chemical companies like Dow, ExxonMobil, P&G, ChevronPhillips and Shell.

Also in January, TCEQ slapped Formosa with a \$121,875 fine for failing to prevent the release of solids and properly analyze wastewater samples.

TCEQ said it does not comment on pending litigation. A spokesperson said a subsequent investigation is ongoing, following the January fine.

Wilson said the fine was a nominal amount for an international company that plans to build a \$9.4 billion facility in Louisiana.

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Like her father, her uncles and her brothers, Wilson worked the Gulf waters as a shrimper — she retired in 2003 — and she takes water pollution personally. She says the plastics in the waterways have decimated the local fishing economy.

Across the bridge from the Point Comfort plant, Poor Boy Bait shop owner Dora Terry said partially attributes the plastic pollution is partially to blame for to a sharp decline in the amount of the shrimp, crabs and mullets in the bay that shop employees catch to sell as bait.





Poor Boy Bait shop in Port Lavaca sits just across the bay from the Formosa plant. Owner Dora Terry says plastic pollution has negatively impacted her business. Emree Weaver / The Texas Tribune

Terry said she first noticed a dramatic decline in shrimp hauls in 2015. Now, she says the amount they catch is so low, they have to truck some in from Galveston.

“We used to be able to go out there and catch 75, maybe 100 pounds a drag,” Terry said. But the other day, she said an employee caught only 10 pounds in 12 hours.

Wilson, who is 70, said it’s traumatic seeing what’s happened to shrimping and fishing in the area.

“The water was our lifeblood, a community, a way of being,” Wilson said.





Left: Diane Wilson scrolls through thousands of photos she's taken over the past three years of plastic pellets and powder she alleges were illegally discharged from Formosa Plastics Corporation's plant in Port Comfort. Right: Wilson talks about her deep roots in the Port Lavaca area. Her family has lived in there for the past 120 years. Emree Weaver / Texas Tribune

Last week at her home outside of Seadrift, Wilson sat at her computer and clicked through a sampling of some 7,000 photos and videos she and others have taken over the past three years of the alleged industrial pollution. Her skin is tan and weathered from years on the water and her silver hoop earrings shake as she recalls her decades-long fight with Formosa. A needlepoint on the wall reads: "Well Behaved Women Seldom Make History."

Wilson's says her high-profile protest has not made her the most popular local. Many people, especially those who know Formosa workers, are unwilling to speak against the company because it's a major regional employer, Wilson said. She says she's received private messages on social media from residents afraid to express support for the cause.



Thomas McGarity, a law professor at the University of Texas at Austin, said it's a good sign for Wilson that a judge granted a trial in the case. He added that Formosa's lawyers could argue that the main evidence in the trial — the thousands of plastic pellets collected by Wilson and other activists — were not collected properly.

"There's this notion in environmental groups of a bucket brigade, where they just go out and do it for themselves, which is kind of a romantic idea," said McGarity, who specializes in environmental and administrative law. "But it often doesn't play well in court, because there are all sorts of rules about preserving data that a non-expert can easily run afoul of."





Left: Ronnie Hamrick uses a small blue net to collect white, grain-sized plastic pellets in Evaporation Lake, which feeds into Cox Creek and Lavaca Bay. Right: Hamrick stands behind the bed of his truck with the samples he collected on March 20, 2019. Emree Weaver / Texas Tribune

Ronnie Hamrick, who worked at the Formosa plant for 25 years as a shift supervisor, collects pellets daily on behalf of Waterkeepers, wading out into the shallows of the creek and bay in black, knee-high rubber boots for four to eight hours at a time.

“They (Formosa) buy land by the water, so they can use it to their advantage,” said Hamrick, who retired in 2005. “It’s easier to dump it than it is to sit there and sweep it up and clean it.”

Walking beside State Highway 35 last week, Hamrick pointed out a group of 13 men standing just off the shoulder of the road wearing waders and orange vests. He said they are contract workers Formosa hired a few years ago to clean up pellets and other waste discharged from the plant.



Contractors hired by Formosa clean up plastic pellets and powder along the bank of Evaporation Lake, which feeds into Cox Creek. Wilson said this has been largely ineffective. On March 20, this cleanup crew worked directly across the highway from the Formosa plant. Emree Weaver / The Texas Tribune

But, as long as the plant continues to discharge the waste, Hamrick said the crews can't keep up. Their efforts are "a waste of time," he said.

Hamrick says he's confident the judge will find the company at fault. He said they've simply collected too many samples from the waters around the plant.

"There's no way that they can win this," Hamrick said. "It's impossible."

[https://www.news-journal.com/news/local/swepco-detects-lithium-in-wells-near-coal-ash-storage-sites/article\\_95c91824-475f-11e9-8a22-7393eee7e1c1.html](https://www.news-journal.com/news/local/swepco-detects-lithium-in-wells-near-coal-ash-storage-sites/article_95c91824-475f-11e9-8a22-7393eee7e1c1.html)

## **SWEPCO detects lithium in wells near coal ash storage sites at Pirkey Power Plant**

By Glenn Evans [gevans@news-journal.com](mailto:gevans@news-journal.com) Mar 24, 2019 Updated 1 hr ago



Richard Bearden speaks Friday about his interactions with AEP Southwestern Electric Power Co. after the detection of lithium in his water well near Pirkey Power Plant in Harrison County.

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Michael Cavazos/News-Journal Photo

**SOUTHWEST HARRISON COUNTY —** Residents on well water within a mile of the Pirkey Power Plant south of Hallsville have been notified of recent test results showing harmful chemicals found in two wells serving about a half-dozen families.

“My wife got a little upset,” Finklea Road resident Richard Bearden said Friday in his living room. “Lithium, man, that’s what they make batteries out of.”

“Actually, they’re fixing to start mining lithium in the state of Texas.”

Bearden should know that — he’s worked in area coal mines for a decade. And he was not overly concerned about the naturally occurring chemical that also is a byproduct of the ashen remains of spent coal.

AEP Southwestern Electric Power Co., which owns the 33-year-old coal-fired plant, reported the presence of lithium, cadmium and cobalt in the wells in the past two weeks.

“And AEP wants to set it right,” Bearden said, less than an hour before a company representative called to let him know it would pay to extend West Harrison County Water Supply Corp. lines to the house he’s called home for nearly seven years with his wife, Kristi, and two sons.

That was good news for the Beardens, who have been wanting to hook up to the water supplier but had been told it was cost prohibitive .

SWEPCO spokesman Peter Main said last week the chemicals were detected during the second year of a new Environmental Protection Agency program that requires testing twice a year near sites where the coal ash is stored.

Main said the company cannot say with certainty that the chemicals entered the underground aquifer from any of the four coal ash storage sites near Pirkey. He said the two wells where the chemicals were detected are “upgradient” from the wells, meaning they are upstream from the four coal ash sites.

“Because it’s before (the aquifer) goes under the coal ash sites, it can be naturally occurring ... or it can be from other sources,” Main said. “It could be naturally occurring, and what we’re looking at is not an issue that was caused by the coal ash storage.”

Regardless, Main said, the company has delivered bottled water to area homes. And SWEPCO Vice President of Internal Affairs Brian Bond and others have been meeting with residents who might not be as familiar with mining chemicals as Bearden.

“Mr. Bond came in, he talked to us,” Bearden said. “We sat here, and we talked about it. And, of course, I know lithium is in all the water (everywhere); it’s no big deal. ... And he’s a good guy, he’s standing behind his word. ... There’s nothing to hide, to say that they are doing wrong. It’s just being a good neighbor, really.”

According to the website of international water treatment corporation Lenntech, lithium is an alkali that can cause labored breathing, nausea and burning eyes under direct exposure. Cadmium, under long-term direct exposure, can damage kidneys, lungs and bones. Exposure to cobalt at naturally occurring levels is not considered harmful to humans, though high-level exposure can cause sterility and hair loss, the site said.

“You can go anywhere in the state of Texas and find lithium,” Bearden said.

Walt Sears Jr., executive director of the Northeast Texas Municipal Water District, said SWEPCO’s discovery of the chemicals through routine testing is “nothing surprising.”

“Anytime we have industrial activity, there are going to be consequences to the environment,” said Sears, whose district sends water to Longview and seven smaller area cities. “There are minerals in the ground that are natural that are still ingredients that you do not want in drinking water.”

Sears noted that surface water, such as a lake or river, is treated in a plant before it’s piped to homes and businesses. Well water, however, is treated during its descent through sand layers en route to the flowing aquifer from which it is pumped.

“There is a sand filter that is naturally in the ground,” he said.

Main said the relatively new EPA coal ash rule set a baseline in 2017 and testing began in 2018.

He said the four coal ash storage sites at Pirkey are two ponds, a landfill and what’s called a stack-out area.

“The main thing is this is an EPA-required program,” he said. “It consists of a number of groundwater monitoring wells on the Pirkey site, primarily around the ash storage (sites). We have met with the neighbors whose private wells are within a mile of the plant.”

Main concluded by saying the company is in full compliance with its EPA obligations.

EPA spokeswoman Jennah Durant said results of SWEPCO’s coal ash residual testing program are posted at [www.aep.com/environment/ccr/Pirkey](http://www.aep.com/environment/ccr/Pirkey) .

“Finding lithium or any other (pollutant) during a monitoring event does not mean the facility has a violation but rather triggers the next step in groundwater monitoring and corrective action,” Durant said. “Regarding the Pirkey Power Plant in Hallsville, Texas, the facility has created and maintains a public website as required by the rule and has posted numerous documents in an effort to comply.”

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Glenn Evans



# Advocate: EPA needs to communicate better as plume near Socorro grows

By WANDA MOELLER / EL DEFENSOR CHIEFTAIN

Sunday, March 24th, 2019 at 12:02am



Cheri Lerew stands outside the Eagle Picher Carefree Battery Superfund site north of Socorro. Lerew has become an information advocate. Her mission is to educate area residents about the hazards of the growing underground water plume associated with the site. (Wanda Moeller/El Defensor Chieftain)

**SOCORRO** – Almost a half-century after industrial waste was dumped in unlined lagoons at the Eagle Picher Carefree Battery Superfund site north of Socorro, the New Mexico Environment Department said it could take another 20 to 30 years to clean up.

For Socorro resident Cheri Lerew, that's unacceptable. Why? The contamination from the groundwater plume continues to grow, infringing upon more and more Socorro residents each year.

In October 2018, NMED project manager Sabino Rivera said during a public forum the plume had extended 9,000 feet from just south of the Eagle Picher Carefree Battery site to an area that includes the north part of New Mexico Tech golf course. The plume, he said, was 2,000 feet wide and covered about 360 acres.

Eagle Picher was responsible for manufacturing printed circuit boards from 1964 to 1976, and during that same time frame, discharged industrial waste and domestic sewage into unlined lagoons on the property. In 1980, the company leased the property from the city and manufactured lead-acid batteries, again discharging industrial waste into unlined lagoons until 1989, when the city installed a septic tank.

The EPA listed the property as a Superfund site in its National Priorities List in 2007. The EPA web site states that Congress established the Superfund program in 1980 to fund, investigate and clean up the worst hazardous waste sites nationwide.

"They're saying it will take 30 some years to clean up the mess. I'll be 92 years old," she said. "I'm worried about right now. I want to know what is happening and what the EPA plans are. I live in the 'red zone' of the plume."

Lerew is on a mission to educate Socorro residents of the plume's invasion. "Someone has to inform people, because the EPA isn't. The EPA has not made an effort to talk to people in the affected areas. They (the EPA) say there's a lack of local concern."



Lerew begs to differ with the EPA's assessment. She wants to educate people about the plume's invasion into their homes and neighborhoods.

"I'm trying to create awareness of the issue, because people need to know what they are living with," she said. "But there is a bigger issue – they have not started treating the problem. And when they do, it will take at least 30 years."

In the meantime, Lerew and other concerned citizens are talking to their U.S. senators as well as local politicians to see if funding can be secured to help with cleanup. Funding for the project would be competing against other Superfund sites around the country. However, health risks will play a factor in the selection process.

When Lerew's dog died a few years back, she had an necropsy done. It indicated the dog had died of neurological problems. The results had Lerew wondering about health problems residents may be experiencing because of the plume's growth.

Lerew's home was one where the EPA found poisonous vapors existed. It was found in her home's crawl space where the heating ducts are located.

She purchased her home in 2007 and would like to sell it in the future. But, she can't get an appraisal.

"There are no appraisers qualified to appraise a Superfund Site home," she said. "So if you can't get an appraisal, how are you going to sell your home? This whole area (where she lives) could be a ghost town if the EPA doesn't take responsibility to clean up the site. A lot of elderly people live in this area. What's going to happen when they die and their descendants can't sell the property? Maybe they could rent it ... but who wants to rent or live near a Superfund Site?"

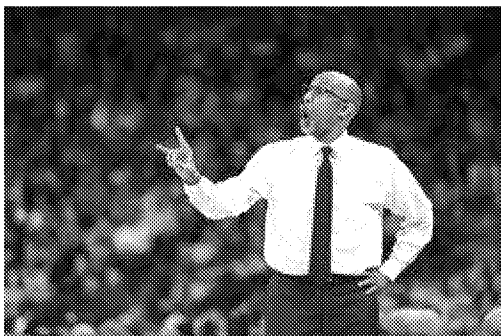
Besides advocating for cleanup sooner rather than later, Lerew would like the New Mexico Department of Health to conduct a health study on the effects of living in a Superfund Site.

The EPA's investigative research has evaluated some of the contamination. Thus far contaminants in the underground plume include TRC (trichloroethylene) and smaller amounts of PCE (tetrachloroethene), DCE (dichloroethene) and DCA (dichlorethane).

For now, Lerew finds herself an information advocate disseminating news and EPA reports to the community on public bulletin boards and her Facebook site: Socorro NM Eagle Picher Superfund Site.

"I want people to be informed," she said. "I want to create a larger voice. I think the main reason people haven't spoken up on this is because they just don't know what's going on. Most residents know about the contamination surrounding the site, but they don't know about the plume. They don't know it's constantly expanding."

## College Basketball



**Heartbreak for UCF dad, son as Dawkins game-winner rolls out**

6 hrs ago

## Tribes urge U.S. to ban drilling around sacred N.M. site

*Published: Monday, March 25, 2019*

Native American leaders are banding together to pressure U.S. officials to ban oil and gas exploration around a sacred tribal site that features massive stone structures and other remnants of an ancient civilization but are facing the Trump administration's pro-drilling stance.

Creating a formal buffer around Chaco Culture National Historical Park has been a long-running issue, but tribes are pushing for further protections as U.S. officials revamp the management plan for the area surrounding the World Heritage Site as well as large portions of northwestern New Mexico and southern Colorado.

Federal officials repeatedly have denied drilling leases within a 10-mile radius of the park as tribes, environmentalists and archaeologists have raised concerns about the potential effects on culturally significant sites like ceremonial structures called kivas outside Chaco's boundaries.

A thousand years ago, the site was a ceremonial and economic hub for the Pueblo people, historians say.

Tribes gathered Thursday at Acoma Pueblo, a Native American community about 60 miles west of Albuquerque, amid an All Pueblo Council of Governors meeting to reaffirm support for protecting the land.

Navajo Nation President Jonathan Nez, head of the largest American Indian reservation, sat among pueblo governors and said it's only right that they support each other, just as their ancestors did.

"Navajo culture and tradition dictate respect for our relatives who have come before us," he said. "As Native people, we are connected to the land, and it is important to preserve the dwellings and the belongings of the ancient ones."

The tribes want specific language in a Bureau of Land Management plan that would prevent drilling near the park, instead of protesting four times a year when the energy industry requests lease sales on certain parcels.

Pueblo council Chairman E. Paul Torres said the threat to Chaco, which he called the "heart of pueblo culture," is financially driven.

"On our side, it has nothing to do with money," said Torres, who also is the Isleta Pueblo governor. "It has to do with where we come from. These sites, to us, are living sites because the spirits are still there."

Communicating the importance of the sites to non-Native people is challenging because the stories are sacred knowledge not shared outside tribal communities, said Phoebe Suina, who is from the Cochiti and San Felipe pueblos.

She thinks about her young children who have visited Chaco Canyon and of future generations, mindful of the legacy she would leave if she didn't work to protect the larger landscape.

"We're put in that role as living beings of our ancestors," she said. "We have this time, this life, what are we going to do with it? At least we are trying."

U.S. Sen. Martin Heinrich (D-N.M.) said Thursday that legislation will be reintroduced soon in Congress to safeguard the land around Chaco Canyon. He said he would not trust the Trump administration to include protections in the federal plan for the area.

"Let's not leave Chaco to the whims of one administration or another," he said. "We have a sense that this place is incredibly important and deserves protection."

New Mexico Public Lands Commissioner Stephanie Garcia Richard said an executive order from her office is expected next month that would make state land around Chaco off-limits to any new oil, gas and mineral leases. Most of the land surrounding the park is federal and tribal land. — *Felicia Fonseca, Associated Press*

## Fed review could stymie race to export Texas oil

Mike Lee, E&E News reporter  
Published: Monday, March 25, 2019



A ship sailing through the Port of Corpus Christi in 2015. Port of Corpus Christi

The Army Corps of Engineers is planning a full-blown environmental review of a major oil export project in Texas — a development that could delay its construction at a time when producers and the Trump administration are pushing to send crude overseas.

The Port of Corpus Christi has been working with the Carlyle Group on a \$1 billion plan to build docks that will handle the largest class of supertankers, which would require deepening the Corpus Christi ship channel to 75 feet.

The Carlyle Group has said the project will be dredged to the full depth by the end of 2021. But the environmental impact statement process, which takes as much as two years, could delay the start of construction until the middle of 2021, pushing the completion date back by months.

Preparing an EIS also will require the Army Corps to study the dredging project's effects on water quality, marine life and other aspects. Although it's rare, the corps could rule that the project causes too much harm to be built.

The project would make Corpus Christi the deepest harbor on the Texas coast and one of the deepest in the country, Bob Heinly, deputy director of the regulatory section at the Army Corps' district office in Galveston, Texas, said in an interview.

"It felt like it was fairly simple to say an EIS would be required," he said.

Carlyle, through its Lone Star Ports LLC subsidiary, is in discussions with the Federal Infrastructure Permitting Improvement Steering Council to shorten the timeline of the EIS or get the project approved with a less-rigorous study known as an environmental assessment, Ferris Hussein, a managing director for the private equity firm, said in an interview.

The ship channel is already being dredged to 54 feet under an EIS that was completed in the mid-2000s. Even if a second EIS is required to deepen the channel to 75 feet, the dredging contractor will be ready and much of the work will already be done, Hussein said.

"The timeline they gave us from 54 to 75 feet — it's a six-month job," Hussein said.

The timing is crucial because there are at least eight projects that have been proposed to expand oil exports along the Texas coast, and observers have said only a handful are likely to be completed (*Energywire*, Feb. 27). Easing oil transport constraints is a top goal for both the oil and gas sector and the Trump administration as part of its "energy dominance" agenda. There are enough pipelines to get oil to ports like Houston and Corpus Christi, but there may not be enough dock spaces.

Most harbors in Texas are too shallow to accommodate so-called very large crude carriers, a class of tanker that can carry 2 million barrels of oil.

Corpus Christi was shaping up to be the winner in that race, since it's the closest harbor to the Permian Basin and the Eagle Ford Shale oil fields, and there are pipeline projects headed to the port that will expand its export capacity.

At least two of the competing projects, including one under consideration about 25 miles from Corpus Christi, involve building offshore loading platforms connected to the shore via pipelines. Those projects wouldn't require dredging.

The Carlyle Group, which is splitting the cost of the export docks and dredging project with the port authority, has already lined up six shippers for the export terminal, Hussein said. Any delays could be costly because the firm has contracts with its shippers that require the 75-foot channel to be ready by the end of 2021.

### **Brewing environmental fight**

The EIS process could provide some leverage to opponents of the Corpus Christi dredging project.

A Texas appeals court issued an injunction last week temporarily blocking the port authority from approving a lease with Carlyle, after an opponent said the port's commissioners hadn't provided adequate public notice of the vote.

Residents in Port Aransas, a resort town at the mouth of the ship channel, are concerned that the dredging project would harm the sport fishing and tourism industries their community relies on.

Sport fishing is so popular in Port Aransas that some restaurants in the town offer to cook fish their customers have caught.

"This is one of the most productive and environmentally sensitive estuaries in the entire Gulf Coast," John Donovan, an organizer for the Port Aransas Conservancy, said in an interview. "If there were an oil spill, it would kill the fishing industry."

The conservancy supports the idea of building an offshore loading system, Donovan said, since it would reduce the chance of an oil spill near the beach.

The docks for the project are planned for Harbor Island, which is just across the ship channel from Port Aransas. The island was previously home to an oil storage depot, but most of the Carlyle project's tanks and equipment will be farther inland, Hussein said.

"Harbor Island will have less infrastructure on it than it historically has," he said.

Sean Strawbridge, chief executive officer of the Corpus Christi port authority, said the dredging project will be a boon to the overall U.S. economy, since it will allow for more oil to be exported. And building an export terminal at the port would be safer than an offshore platform because ships would be shielded from weather and rough seas during the loading process.

"It is important that the terminal be operational as quickly as possible to take full advantage of the American taxpayer's investment in the Corpus Christi ship channel improvement project," Strawbridge said in an email.

## First-of-its-kind U.S. waste dump marks 20 years

*Published: Monday, March 25, 2019*

In a remote stretch of New Mexico desert, the U.S. government put in motion an experiment aimed at proving to the world that radioactive waste could be safely disposed of deep underground, rendering it less of a threat to the environment.

Twenty years and more than 12,380 shipments later, tons of Cold War-era waste from decades of bomb making and nuclear research across the U.S. has been stashed in the salt caverns that make up the underground facility. Each week, several shipments of special boxes and barrels packed with lab coats, rubber gloves, tools and debris contaminated with plutonium and other radioactive elements are trucked to the site.

But the Waste Isolation Pilot Plant has not been without issues.

A 2014 radiation leak forced an expensive, nearly three-year closure; delayed the federal government's cleanup program; and prompted policy changes at national laboratories and defense-related sites across the U.S. More recently, the Department of Energy said it would investigate reports that workers may have been exposed last year to hazardous chemicals.

Still, supporters consider the repository a success, saying it provides a viable option for dealing with a multibillion-dollar mess that stretches from a decommissioned nuclear weapons production site in Washington state to one of the nation's top nuclear research labs, in Idaho, and locations as far east as South Carolina.

If it weren't for the Waste Isolation Pilot Plant, many containers of plutonium-contaminated waste would be outside, exposed to the weather and susceptible to natural disasters, said J.R. Stroble, head of business operations at DOE's Carlsbad Field Office, which oversees the contractor that operates the repository.

"The whole purpose of WIPP is to isolate this long-lived radioactive, hazardous waste from the accessible environment, from people and the things people need in order to live life on Earth," he told the Associated Press.

Stroble and others in the communities surrounding the repository are steadfast in their conviction that the facility is a success. They point to 22 sites around the nation that have been cleaned up as a result of having somewhere to put the waste — including Rocky Flats, a former nuclear weapons plant outside Denver that had a history of leaks, spills and other violations.

For critics, that success is checkered at best since the repository is far from fulfilling its mission.

"It's 80 percent through its lifetime, and it has disposed of less than 40 percent of the waste and has cost more than twice as much as it was supposed to," said Don Hancock with the watchdog group Southwest Research and Information Center. "How great of a success is that?"

Officials initially thought the facility would operate for about 25 years. Rather than wrapping up in the next few years, managers have bumped the timeline to 2050.

The repository was carved out of an ancient salt formation about a half-mile below the surface, with the idea that the shifting salt would eventually entomb the radioactive waste.

It was the National Academy of Sciences in the 1950s that first recommended disposing of atomic waste in deep geologic formations. Scientists began taking a hard look at the New Mexico site about two decades later.

The scientists had to convince themselves and then federal regulators that it was safe. One of their tasks was determining that the ancient seawater trapped between the salt crystals and bound up in thin bands of clay within the salt deposit would pose no problems thousands of years later.

"It was exciting to be working on what was then going to be the world's first deep-geologic repository for that class of waste," said Peter Swift, a senior scientist at Sandia National Laboratories. "Nothing that radioactive had been put that deep underground before. And that's still true 20 years later."

While the real test will be what happens generations from now, Swift is confident in the science behind the project.

But the wild card in whether the repository is ultimately deemed a success will be the human factor. After all, missteps by management were blamed for the 2014 radiation release.

With some areas permanently sealed off due to contamination, more mining will have to be done to expand capacity. The federal government also is spending more than a half-billion dollars to install a new ventilation system, sink more shafts and make other upgrades aimed at returning to "normal business."

Hancock and some former elected leaders involved in early discussions about the facility worry about the subterranean landfill becoming a dumping ground for high-level waste or commercial nuclear waste.

But it would take an act of Congress to expand the repository's mission, and getting consent from New Mexico's delegates would be a tall order since the federal government still has no long-term plan for dealing with such waste. Nevada's proposed Yucca Mountain project is mothballed, and no other permanent disposal proposals are on the table.

Toney Anaya, who served as New Mexico governor in the 1980s, remembers the heated debates about bringing more radioactive waste to the state. He said there were concerns about safety, but the promise of jobs was attractive. Some also argued New Mexico had a moral obligation given its legacy of uranium mining and its role in the development of the atomic bomb.

Another former governor, Bill Richardson, was on both sides of the tug of war — first as a young Democratic congressman who wanted to impose environmental standards and keep 18-wheelers loaded with waste from passing through the heart of Santa Fe. Then he became U.S. Energy secretary during the Clinton administration and pressured the state to clear the way for the repository to open.

"For New Mexico, we've done our share of storing waste, and we've done it safely and effectively," Richardson said. "It's provided jobs, but I just think the future of the state is not nuclear."

Southeastern New Mexico's ties to nuclear run deep and will continue for at least the next 30 years under the plans being charted now.

Robust state regulation will be key in ensuring responsible management going forward, said Hancock, with the watchdog group. The problem, he said, is that besides the Cold War-era waste that has yet to be dealt with, the federal government and nuclear power plants keep generating more.

"We need to decide what our capacities are actually going to be — how much nuclear power waste are we going to create, how much nuclear weapons waste are we going to create — so that we can then put our arms around the problem," Hancock said. — *Associated Press*

# The clean water fight puts spotlight on agency not up to the task

Posted By [Max Brantley](#) on Mon, Mar 25, 2019 at 7:27 AM

The Farm Bureau has assembled a mighty rural lobbying force to transfer regulation of liquid animal waste (pig manure particularly) from the Department of Environmental Quality to the Arkansas Natural Resources Commission, which isn't always able to carry out its existing role in protecting natural resources.

The issues aren't directly relevant, I grant. But those saying ANRC is the place to regulate pig crap would do well to read [Arkansas Democrat-Gazette](#) outdoors writer [Bryan Hendrix's](#) [column Sunday](#) about Game and Fish Commission members unhappy about flooding in the Bayou Meto Wildlife Management Area that threatens the timber there.

ANRC is a sponsor of a water management project there. Expensive infrastructure has been built but a local water distribution district has never gotten off the ground. With no income from that district, the ANRC can't do anything.

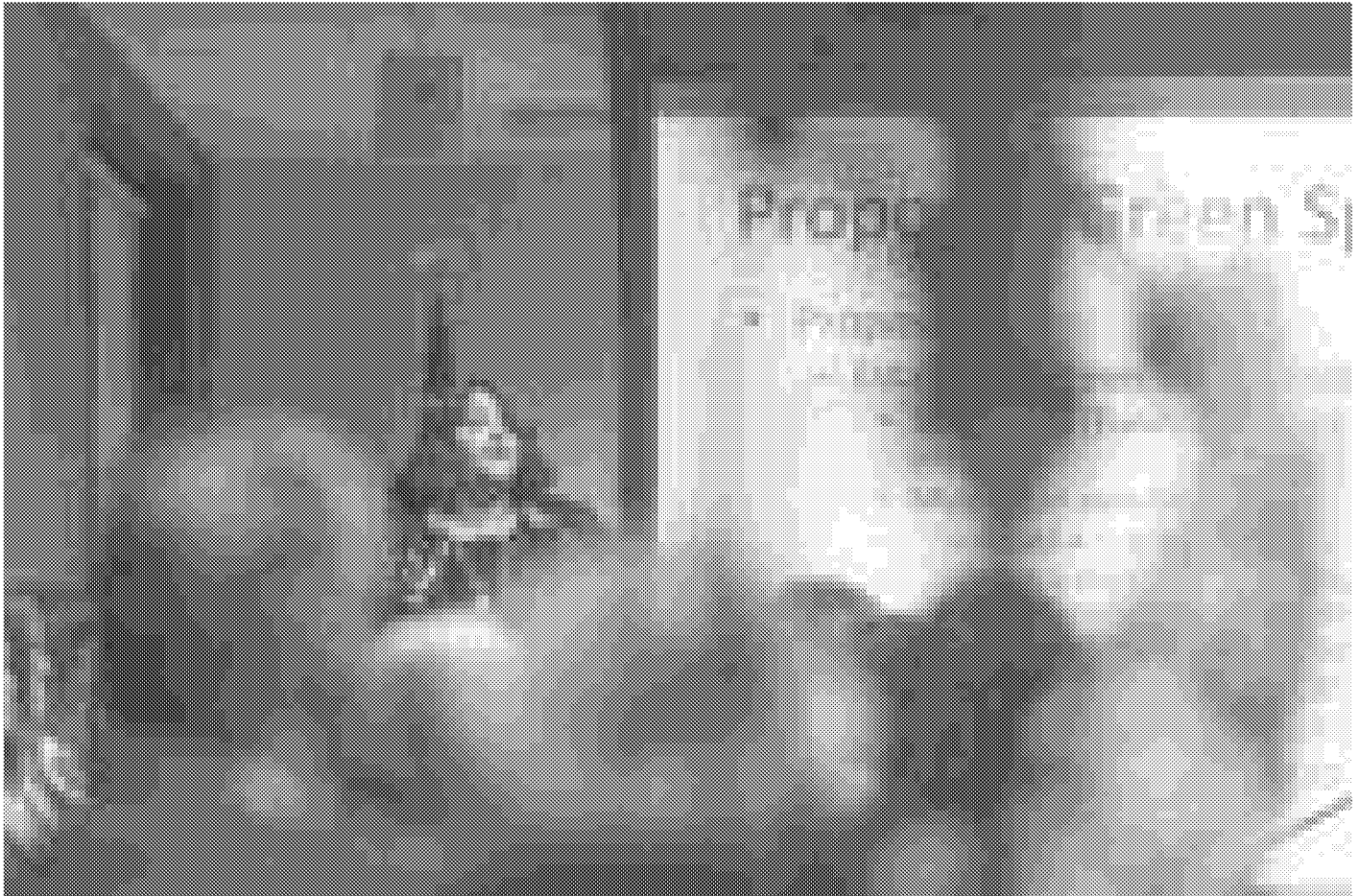
In Senate debate last week on SB 550, Sen. Keith Ingram highlighted one of many flaws in the takeover law — transparently intended to make life easier for factory hog farms. It is that the ANRC has no control over permitting. That will be up to local conservative districts. And if they aren't active protectors of natural resources, then what?

The water bill fight centers on the Buffalo River because it's a popular symbol. But the shift holds harm for water sources all over the state, particularly Northwest Arkansas, where lobbyists are attempting to get the largely Republican delegation riled about peril for Beaver Lake and other water sources.

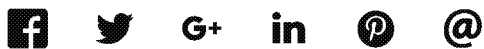
Gov. Asa Hutchinson has indicated his opposition to the move. He's been very successful in cutting taxes for rich people and increasing them for poor people. Can he overcome the Farm Bureau? The EPA has also sent signals that, even in the era of Trump, this effort to make life easier for hog farmers might run afoul of the clean water act.

# Stormwater vote on horizon

By Mack Burke | Transcript News Editor   Mar 24, 2019



Carrie Evenson, Stormwater Program Manager speaks on Thursday night, January 17, 2019 during a Norman City Council Stormwater special session.



On April 2, Norman voters will head to the polls to vote on stormwater for a second time in four years.

The last stormwater proposal was soundly defeated, but city leaders hope that over a year of citizen committee meetings, open houses and study sessions will be enough to convince voters that the stormwater bond and stormwater utility measures are worth it.

Here's a look at what the measures include, what they aim to address and what they will cost.

## Stormwater bond

City Stormwater Program Manager Carrie Evenson said the two primary problems the bond aims to address are flooding and water quality.



The \$60 million general obligation bond proposal would fund 33 infrastructure projects (at least three in each ward) selected from a list of 60 projects identified in the city's 2009 stormwater master plan.

If passed, it would mean \$5.25 a monthly property tax increase on a \$150,000 home.

If the bond passes and the city can issue its first bond by June 30, then the property tax levy would begin July 1.

Evenson said the projects identified in the proposal were selected based on need and represent the most critical infrastructure projects the city must undertake to address flooding and water quality issues.

City Attorney Kathryn Walker said though the projects are not explicitly listed in the ballot language due to a 200 word limit, the city is legally bound to those because they are detailed in the city ordinance that was approved by the council Jan. 22.

"We could not go back and amend this and change the purpose for which the citizens approved the bond," she said. "In fact, by listing the projects, we have committed to doing those projects. We've really limited ourselves when we didn't have to, and, if there are any surplus funds, to the other projects in the stormwater master plan."

If projects come in under budget, resulting in leftover bond funds, Evenson said that money would go toward the remaining projects on the 2009 stormwater master plan list.

"[These projects] will help us improve our aging infrastructure," she said. "We have capacity improvement projects, stream bank and channel protection projects; all of those are making significant improvements to our stormwater system."

The five largest projects identified are:

- Merkle Creek — culvert replacement on Main Street between Merkle Drive and Hal Muldrow Drive — (\$12.1 million)
- Imhoff Creek — stream bank improvements to prevent and repair erosion south of Imhoff Road between Berry Road and Walnut Road — (\$10.5 million)
- Andrews Park — 9-acre detention pond (\$7 million)

- Bishop Creek — address flooding by purchasing 15 structures in future 10-year floodplain south of Alameda Street and Carter Avenue (\$3.2 million)
- Bishop Creek — pipe replacement and creek channel improvements on Sinclair Drive and Beaumont Drive south of Boyd Street and east of 12th Ave. SE (\$2.7 million)

For a complete list of projects and a location map, visit [visionfornorman.com](http://visionfornorman.com).

## **Stormwater utility**

While the bond aims to improve infrastructure, the utility would be used to maintain it and to address water quality issues and mandates from the Oklahoma Department of Environmental Quality.

The proposed utility would bring in about \$4.2 million a year to be spent on increased maintenance crews, stormwater compliance inspectors, a Neighborhood Assistance Program, and equipment, such as street sweepers.

The plan calls for an additional \$3.2 million from the city's general fund to bolster stormwater maintenance.

The utility would be established in an enterprise fund, which would serve as a dedicated source of funding for stormwater services.

If approved, the utility would result in tiered residential fees of \$3, \$6 or \$9 a month based on first-floor living area. That cost would be added to city utility bills starting in August.

The residential tiers are:

- Tier 1: 1,196 square feet or less — \$3
- Tier 2: 1,197 to 1,983 square feet — \$6
- Tier 3: 1,984 square feet or more — \$9

For Norman residents who don't receive a city utility bill currently, they would receive a new bill.

The utility includes all developed residential parcels with four or less dwelling units on a single parcel.

Garages, porches and other spaces that are not commonly heated or cooled are not included in the living area formula.

Undeveloped parcels are excluded from the utility, and there 30 percent credits available for low-income residents and agriculturally zoned properties.

The non-residential fees are:

Tier 1: .62 acres or less — \$12

- Tier 2: .63 to 2.11 acres — \$45

- Tier 3: 2.12 to 13.97 acres — \$80

- Tier 4: 13.98 acres or more — \$160

## Context and debate

The city council has thrown its support behind the plan and the city's Vision for Norman campaign is aimed at rallying support for the stormwater measures and the transportation bond.

The stormwater proposals have drawn praise and criticism. While the community largely recognizes there is a compelling need to address flooding and water quality issues, the utility has been criticized for being regressive.

Proponents of the package argue the utility's appeal is in its simplicity and its regressive nature is offset by the bond, which places a larger burden on larger properties.

Regardless of whether residents vote to approve the measures, Evenson said the city's stormwater problems aren't drying up anytime soon.

She said the city will need to spend about \$5.3 million by 2021 just to meet the basics of the EPA-mandated Total Maximum Daily Load (TMDL) for Lake Thunderbird, the city's Municipal Separate Storm Sewer permit (MS4) and the city's basic stormwater maintenance needs.

"If neither passes, or one or the other passes, the needs won't go away," Evenson said. "We'll just have to find some way to fund our stormwater needs. And the day-to-day operations, those costs increase over time."



**Ballot language:**

**PROPOSITION NO. 2**

**Stormwater Bond Projects**

Shall The City of Norman, State of Oklahoma, incur an indebtedness by issuing its general obligation limited tax bonds in the sum of Sixty Million Dollars (\$60,000,000) for the purpose of economic and community development in said City, to include constructing, improving, and equipping stormwater drainage facilities, to be completed with or without the use of other funds, and levy and collect a special annual tax, in addition to all other taxes, upon all the taxable property in said City sufficient to pay the interest on said bonds as it falls due, and also to constitute a sinking fund for the payment of the principal thereof when due, said bonds to bear interest at not to exceed the rate of fourteen per centum (14%) per annum, payable semi-annually and to become due within thirty (30) years from their date; provided however, that in no event shall the real and personal taxable property in said City be subject to a special annual tax in excess of five mills on the dollar for all bonds issued pursuant to Section 35, Article X of the Oklahoma Constitution?

The voting machines or devices used at said election shall set out the proposition as above set forth and shall also contain the words:

YES — FOR THE ABOVE PROPOSITION

NO — AGAINST THE ABOVE PROPOSITION

**PROPOSITION NO. 3**

**Stormwater Utility Fee**

Shall Ordinance 0-1819-27 of the Council of the City of Norman, Oklahoma, adding Section 21-118 of Chapter 21 of the Code of Ordinances of the City of Norman, Oklahoma, which establishes the monthly rates to fund a Stormwater Utility as follows: \$3.00 for residential property with a first floor living area less than or equal to 1, 196 square feet; \$6.00 for residential property with a first floor living area of 1, 197 to 1,983 square feet; \$9.00 for residential property with a first floor living area greater than 1,983 square feet; providing for a 30% reduction in the rate for qualifying low-income residences; providing for a 30%

# NFIP changes likely to impact Louisiana residents, but officials are hopeful update is a positive

BY ELIZABETH CRISP | [ECRISP@THEADVOCATE.COM](mailto:ECRISP@THEADVOCATE.COM) MAR 24, 2019 - 4:30 PM



A Louisiana Air National Guard Chinook helicopter brings in a large sand bag to be placed on the road in front of Alligator Bayou Road as Bayou Manchac floods over the road as severe weather flooding in Ascension Parish on Tuesday August 16, 2016.

[Buy Now](#)

Advocate staff photo by BILL FEIG

Elizabeth Crisp

The Federal Emergency Management Agency has announced a major plan to overhaul how risk is assessed in the National Flood Insurance Program, which could mean major changes for

Louisiana homeowners, but details remain murky and state officials say they're holding out hope for an ultimately positive outcome.

The proposal, dubbed "Risk Rating 2.0" is being done within FEMA's statutory abilities, so it won't take approval from Congress, which is discussing a long-term reauthorization of the flood insurance program, through which nearly half a million Louisiana residents are insured.

Gov. John Bel Edwards' administration said it's awaiting more details to have a better understanding of the overall impact to Louisiana.

"While we understand that better clarity about flood risk is vital to our future resilience, we're also concerned about how any increased costs would impact homeowners and small-business owners," Edwards spokeswoman Shauna Sanford said.

The overhaul would fundamentally change how flood risks are assessed. Instead of the flood plain maps now used, FEMA would be able to assess on a property-by-property basis and will now calculate overall flood risks.

A FEMA spokesman said the agency has been discussing ways to improve the rating system over the past few years. "We now have the capabilities and technology to carry out fundamental changes in the way the NFIP analyzes and prices risk," the spokesman said.

FEMA initially planned to roll out the new rates in geographical segments but has switched to plans for a national rollout to all single-family homes to provide more consistency. The new rates will be established by April 2020 and go into effect on Oct. 1, 2020.

"It's a big deal," said Michael Hecht, president and CEO of Greater New Orleans Inc., which has been involved in the ongoing discussions with FEMA. "We have a year and a half to try to

understand and adjust to it.”

Hecht said he thinks there are some positives in the new proposal. Advocates have been pushing for years for more accurate maps. “More accuracy is, in the long haul, a good thing and should convey better information to policyholders and the market in general,” he said.

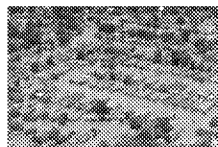
Hecht said he believes the grandfathering in of guardrails will help keep the program affordable, and the overhaul will encourage more people to join the program, which helps drive down costs.

“It’s important that the program is affordable — obviously there is a fiscal and moral imperative that people who have played by the rules should remain in their homes,” he said.

Hecht said he thinks major spikes in the program would be unlikely.

“There would be a bipartisan constituent revolt,” he said.

“Unfortunately, we’ve seen now ever-more flooding disasters. We used to say if it rains, it can flood; what we’re seeing now in Iowa is that if it snows, it can flood.”



**Report: Major flood insurance overhaul on tap; increased cost possible for some**

“If it were to become unaffordable, it wouldn’t just be impacting south Louisiana,” he said.

U.S. Rep. Garret Graves, R-Baton Rouge, said the overall impact could be positive, but he wants to see more information from FEMA to make sure it’s an improvement.

“There’s not a lot of details behind what exactly that means, but for the big picture — at least, what we’ve been told — any effort to improve the accuracy of risk is good,” Graves said. “I certainly welcome any effort to better communicate risk and vulnerability.”

FEMA's aim is that new state-of-the-art catastrophe models combined with the ability to leverage the flood insurance program's mapping data will provide a more comprehensive understanding of risk.



**FEMA backtracks, says agency will allow renewals, new flood insurance policies amid shutdown**

“Our new system will determine a customer’s flood risk by incorporating multiple, logical rating characteristics — like different types of flood, the distance a building is from the coast or another water source, or the cost to rebuild a home,” the FEMA official said.

The new rates will account for heavy rainfall like Baton Rouge experienced in 2016, as well as different types of flooding at a single location — for example in coastal areas where flooding is caused by surge as well as river overflow.

“They will also account for the greater range of flood frequency,” the FEMA official said.

FEMA said it plans to roll out the new rates with affordability measures, including possibly having a phased-in approach. Existing statutory limits on rate increases will also apply.



**'A disgrace': As FEMA slams brakes on new flood insurance amid shutdown, state official fears 'chaos'**

LSU professor Nina Lamb, an expert on flooding issues, said the system the flood insurance program has outlined is “very interesting.”

“It probably will affect Louisiana a lot, but it all depends on how exactly flood risk is determined in this new policy,” she said.

“Whatever the policy is, it’s probably better to implement it in a way that is incremental.”



She said affordability has to be a critical component for a successful update.

“Many people would have no means to move or pay high rates,” Lamb said. “We have to consider fairness of the issue, too.”

U.S. Sen. Bill Cassidy, R-La., who has in the past partnered with Sen. Kirsten Gillibrand, a New York Democrat now running for president, on proposals to update the program said he’s glad that FEMA’s new ratings plan incorporates parts of their recommendations.

“My first priority is to ensure any proposal changing the National Flood Insurance Program is sustainable and affordable for Louisiana homeowners,” he said. “It needs to accurately account for local flood protection structures when determining the risk profile for homes.

“My office will continue to engage FEMA and its rollout of Risk Rating 2.0 as we draft the reauthorization of the NFIP with my Senate colleagues,” he said.

Graves said he would like to see the commitment to assessing risk broaden.

“There’s not much accuracy to the maps, and unfortunately, those less-than-accurate maps have a lot of gravity in terms of flood insurance premiums,” Graves said. “It’s frustrating to have a less-than-accurate map that carries a lot of weight.”

He said he thinks that part of risk assessment should also consider who is responsible for the risk.

“In the case of Louisiana, I believe we are at greater risk than what some people’s maps show today, but do I believe that homeowner has a damn thing to do with the risk they are subjected to? No,” he

# More bad news for coal: Wind and solar are getting cheaper

By Matt Egan, CNN Business The simple laws of economics threaten to doom America's remaining coal power plants.

Updated: Monday, February 12, 2018, 12:00 PM EST

By Matt Egan, CNN Business

The simple laws of economics threaten to doom America's remaining coal power plants.

Wind and solar costs have plunged so rapidly that 74% of the US coal fleet could be phased out for renewable energy -- and still save customers money, according to a [report](#) released on Monday by Energy Innovation, a nonpartisan think tank.

That figure of at-risk coal plants in the United States rises to 86% by 2025 as solar and wind costs continue to plunge.

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The research demonstrates how it's increasingly more expensive to operate existing coal plants than build clean energy alternatives.

"US coal plants are in more danger than ever before," Mike O'Boyle, director of electricity policy at Energy Innovation, told CNN Business. "Nearly three-quarters of US coal plants are already 'zombie coal,' or the walking dead."

That's despite President Donald Trump's promise to revive the beleaguered coal industry. Trump declared the end of the "war on coal" and slashed regulations that clamped down on the emissions from coal-fired power plants.

Late last year, the administration announced plans to [reverse an Obama-era coal emissions rule](#) to make it easier to open new coal plants. Trump even appointed Andrew Wheeler, a [former coal lobbyist](#), to lead the EPA.

"Trump administration efforts to cut environmental regulations are too little, too late to save coal," O'Boyle said.

## Rust Belt coal plants under siege

The Energy Innovation report found that in 2018, 211 gigawatts of existing US coal capacity -- or 74% of America's fleet -- was at risk from local wind or solar that could more cheaply churn out just as much electricity.

North Carolina, Florida, Georgia and Texas are the US states that have the greatest amount of coal plants at risk from local solar and wind, the analysis found. Energy Innovation defined local as within 35 miles.

By 2025, Midwestern states including Indiana, Michigan, Ohio and Wisconsin are expected to have high amounts of coal capacity under pressure from renewable energy.

Of course, just because it may be economically feasible to shut down a coal plant and replace it with wind or solar, doesn't mean it will happen right away. State regulators must sign off on such decisions. And many power plants will decide to pass the extra costs on to customers.

Moreover, coal is still a major employer in parts of Appalachia, making any shutdown potentially damaging to the local economy.

Coal has been dethroned

Coal was the longtime king of the power industry before it encountered fierce competition last decade from natural gas. Not only is natural gas a cleaner burning fossil fuel, but it's in abundance in the United States thanks to the shale revolution. In 2016, natural gas surpassed coal for the first time as America's leading power source.

Meanwhile, the share of total power generation from coal-fired power plants plunged from 48% in 2008 to just 28% last year, according to government statistics.

And the rise of renewables means that the economics have once again swung against coal. Aided by a surge of investment in clean energy, solar prices have plummeted 90% since 2009 -- and they're projected to continue declining, according to Energy Innovation.

Against that backdrop, renewable energy is projected to be the fastest-growing source of US electricity generation for at least the next two years, according to a [January report](#) published by the US Energy Information Administration.

Utility-scale solar power is expected to increase by 10% in 2019 alone, while wind power is expected to vault ahead of hydropower for the first time, the EIA said.

"Coal's biggest threat is now economics, not regulations," O'Boyle said.

### New Mexico pledges to go carbon free

Another challenge for coal: American households and businesses are increasingly clamoring for clean energy as they worry about climate change.

Households and businesses are installing their own solar panels. Small-scale solar generating capacity is expected to grow by 44% over the next two years, according to the EIA.

Pressured by voters, US states are adopting ambitious clean energy targets -- and they're framing them as job creators.

Last week, New Mexico Governor Michelle Lujan Grisham signed into law a [bold plan that aims to source half the state's power](#) from renewable energy by 2030. And by 2045, New Mexico plans to be 100% carbon-free.

Future generations "will benefit from both a cleaner environment and a more robust energy economy with exciting career and job opportunities," Lujan Grisham said in a statement.

California and Hawaii also recently passed 100% clean energy targets.

Some power companies are moving rapidly to adjust to this new environment.

Xcel Energy, a Minneapolis-based power company that serves western and Midwestern states, recently pledged to deliver 100% carbon-free electricity by 2050. The plan calls for doubling Xcel's wind power while slashing its dependence on coal.

All signs point to more and more power companies waking up to the new clean energy reality.

# 30 years later, re-live the incredible scenes from the Exxon Valdez oil spill

By Peter Dawson, Chron.com / Houston Chronicle Updated 10:00 am CDT, Sunday, March 24, 2019



IMAGE 1 OF 30

Exxon Valdez oil spill workers use pressure washers to wash oil from the beach at Smith Island on Alaska's Prince William Sound. >> **Keep clicking through this gallery to see more photos from the Exxon Valdez oil spill.**

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At the time, it was one of the worst man-made disasters in the history of the United States.

And a Texas owned-and-based company was responsible for it.

Sunday marks the 30th anniversary of the Exxon Valdez oil spill.

The Exxon Valdez catastrophe started on March, 24, 1989, when an Exxon Shipping Company tanker ran aground near the town of Valdez, Alaska.

Gallons of visible, toxic crude oil proceeded to flow into into the Prince William Sound.

## Recommended Video

**RELATED: UPDATE: ITC provides deadline, additional info for incident claim forms**

As the pollution stretched to hundreds of miles (and hundreds of miles of water) were drenched in oil and many people suffered significant financial losses.

Just 30 is the one that took place at BP's

# ITC sends false alarm of another flare up in Deer Park, city says

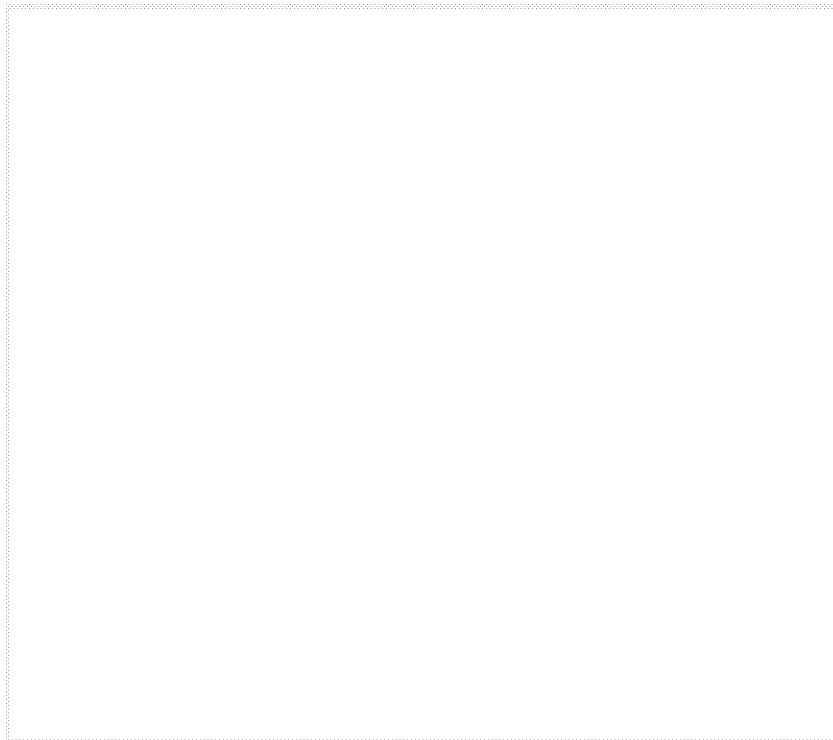
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At 11:36 a.m., the ITC Deer Park facility sent a message saying a chemical fire had occurred there. But the city of Deer Park tweeted at 2:12 p.m. the message was sent by mistake.

DEER PARK, Texas — The Intercontinental Terminal Co. inadvertently sent a message through an emergency alert system indicating a new flare up at the facility, but it was a false alarm.

At 11:36 a.m., the ITC Deer Park facility sent a message saying a chemical fire had occurred there.

"At this time, Emergency Vehicles, Odor may be noticeable to the community. We are coordinating with local officials, and working to resolve the issue as soon as possible," the message states.



"Stay tuned to local officials for more information. Update will be provided on this site, when needed."

But the city of Deer Park tweeted at 2:12 p.m. the message was sent by mistake.

"It has come to our attention that ITC inadvertently sent a message through the CAER system which has since been corrected," the city of Deer Park tweeted. "To reiterate, there are no new flare-ups or other fire incidents at the ITC site as of Sunday afternoon at 2PM."



**City of Deer Park**  
**@DEERPARKTXGOV**

It has come to our attention that ITC inadvertently sent a message through the CAER system which has since been corrected. To reiterate, there are no new flare-ups or other fire incidents at the ITC site as of Sunday afternoon at 2PM.

26 2:12 PM - Mar 24, 2019

31 people are talking about this



**City of Deer Park**  
**@DEERPARKTXGOV**

Please be advised: There have been no flare-ups or additional fires at the Intercontinental Terminals Company (ITC) today, Sunday.

Should we receive notification from ITC regarding a flare up, chemical fire or... [facebook.com/25716254772730...](https://www.facebook.com/25716254772730...)

15 1:34 PM - Mar 24, 2019

See City of Deer Park's other Tweets

Officials at ITC said significant progress was made overnight in the effort to remove chemicals from damaged tanks.

By 2 a.m. Sunday, crews had removed about 13,000 of the estimated 20,000 barrels of Pyrolysis Gas from tank 80-7. Crews are continuing to work to remove the remaining liquid.